Anglia Liberata, ff.

OR

THE RIGHTS

Of the People of *ENGLAND*,

MAINTAINED AGAINST

the Pretences of the SCOTISH King,

As they are set forth in an

ANSWER

TO THE

LORDS AMBASSADORS

PROPOSITIONS of ENGLAND.

Which ANSVVER was delivered into the *Great Assembly* of the *United Provinces* at the *Hague*, by one MAC-DONNEL, who [illegible] *Resident for his Majesty &c. June* [illegible] 1691.

And is here published according to the *Dutch Copy*.

WHEREVNTO IS ADDED

A TRANSLATION OF CERTAIN

Animadversions upon the *Answer* of *Mac-Donnel*.

Written by an ingenious *Dutch-man*.

AS ALSO

AN ADDITIONAL REPLY

To all the pretended Arguments, Insinuations and Slanders, set forth in the said

SCOTISH ANSWER

Written a while since by a private Pen, *and now presented to the* PUBLICK.

London, Printed by *T. Newcomb* for *Richard Lewis*, at the White *Lion*, *Paul*'s Church-yard near the [illegible], 1691.

OR

THE RICH

Of the People of ENGLAND

MAINTAINED AGAINST

ANSWER

59-158-60

The Publiſher to the Reader.

THou haſt here firſt, the Anſwer of Mac Donnel (whom in the Dutch they call Mac-Dowel) to the Propoſitions of our Engliſh Ambaſſadors, as it was delivered by him, in the Great Aſſembly of the United Provinces; which having been publiſhed beyond Sea in Dutch, and tranſlated ſince into an Engliſh Print, is here preſented to a more publick view, with a few Corrections added thereunto to prevent the poiſon. And therefore in the ſecond place, thou haſt alſo a Tranſcript of certain ANIMADVERSIONS upon Mac-Donnel's Anſwer, written by an honeſt Dutchman in his own Language, and now tranſlated into Engliſh.

Theſe ANIMADVERSIONS are indeed very pithy, pertinent, and ingenious; but becauſe they are only the Hints of Things, and not Diſcourſes ſo drawn at full, as to convince ſuch as are not eaſily perſwaded of the Truth of matters in Controverſie, therefore it was thought fit in the third place, to bring up the Rear with an Additional Reply; partly to diſcuſſe the main points more fully; and partly to touch upon many other particulars of Mac-Donnels Anſwer, wholly neglected by the Dutch Animadverror.

The truth is, theſe Papers have lain by for ſome time, by reaſon of the late diſturbances, they having been all ready prepared for the Preſs before, except the latter part of the fourth Chapter of the Additional Reply, which was licke up, upon the cloſe of this laſt grand determination of Affairs at Worceſter. Perhaps, ſome expreſſions therein touching the Power of the Sword, at the firſt ſight, may not pleaſe all; but that all may be pleaſed, let them know, the Rights of the people are no way wronged, as long as the Sword is aſſerted, and acknowledged to be in the hands of the Parliament; who by the Law of the Sword have ſo nobly over-turned the Law of the Prerogative, and recovered the good old Laws, Liberties, and Priviledges of the people. And whereas it is here inde-

voured to prove our English Relation to the old Treaties made with our Neighbours of Holland; know the intent is not in any wise to court that Nation to maintain Amity, but onely to refell the futility of those Arguments of the Royal Party, who pretend to prove, that by vertue of these Treaties, the Dutch are tied still to the late Kings Family, as if they stood radicated in full force, in the person of the present young Pretender.

If there be any fault then in the Author of the Additionall Reply, it is only his presumption, that a private Pen should meddle with matters of a publick Import: But the honest Dutch man having shewn him the way, he could not chuse but follow him, and lay hold upon this opportunity, throughly to canvasse the principall Points, Parts, and Pretences, that past up and down by Tradition, to support the cause and interest of the Common Enemy.

Perhaps they may at present seem as dead to some, having been Thunder-strook by the late fatall blow at Worcester, and therefore this Piece by way of Reply, may be supposed now also to be of the less use and consideration. But let such consider, that though the Cause, and many of its grand Abettors be laid flat, yet as long as so many Pretenders of the Family are in being, they will be always upon every opportunity, reviving and setting on foot the same pretences; so that if we subdue these by Reason, as well as their Persons and Partisans by Force, they will be the less able to drive on future designs, and draw Parties, either here or abroad, to the disquiet of England.

AN

AN ANSWER TO THE PROPOSITIONS

MADE BY THE

ENGLISH AMBASSADORS

(*as they ſtile themſelves*)

the $\frac{30}{20}$ *of March*,

In the great Aſſembly of the High and Mighty Lords, the States Generall of the United Provinces.

AS ALSO,

To their *Memorials* of the $\frac{27}{17}$ of *April*, and $\frac{20}{10}$ of May 1651. reſpectively.

And likewiſe,

To the 36. Articles of the deſired Treaty.

As it was delivered by the Honorable Sir *William Macdowel* Knight, Reſident for his Majeſty of Great Britain, after his return to *Holland*, in the ſaid *Great Aſſembly*.

June $\frac{28}{18}$ 1651.

Prov. 24. verſe 21,22.

My Sonne, feare thou the Lord and the King, and meddle not with them that are given to change.

For their calamity ſhall riſe ſuddenly, and who knoweth the ruine of them?

HAGH, Printed by *Samuel Brown*, Engliſh Book-ſeller, 1651.

AN ANSWER TO the Propoſitions.

THe ſaid pretended *Embaſſadors* have offered, and withall required a ſtrict *Confederacy* & *Holy League* (as they term it) betwixt the *Commonwealth* of *England*, and the *United Provinces*, alledging to that end.

I. The ancient and ſucceſſive Contracts, and mutuall Friendſhip betwixt both.

II. The advancement of Trade and Traffique.

III. A Conformity in the Reformation of Religion.

IV. The like Succeſſe and Bleſſings upon both.

V. An anſwerable change in the condition of both States; as likewiſe, in the reſtored Liberty of the People. *Hinc inde.*

Which ſpecious motives, and inducements, viewed aright, and laid in a juſt ballance, will appeare (by their favours) to have no warrantable ground: For the clearing of which, the *High* and *Mighty States* are deſired to look back, and conſider:

I: That formerly, all *Contracts*, have been made, betwixt the ſucceſſive *Kings* of *England*, their lawfull *Heires*, and the

High

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High and *Mighty States Generall*, and not with *England*, as is alledged: Not to look further back, the *Soveraignty* of theſe Countries was offered to *Queen Elizabeth*, of happy memory, in the year 1585, which ſhe in wiſdome thought fit to decline; but, withall, aſſiſted the *States*, with 5000. Foot, and 1000 Horſe, as likewiſe advanced to their *Lordſhips* before the yeare 1596 in the ſpace of eleven years, *eleven hundred thouſand pounds Sterling*, according to the calculation of her *Majeſties* Councellors, and high Treaſurer for the time.

Her Royall Succeſſors, *James* and *Charles*, of Immortall memory, in the years 1608, 1614, 1635, reſpectively, have not onely aſſiſted theſe *States* in their great ſtraits, in a very conſiderable way, but alſo engaged with their *Lordſhips*, *offenſivè* and *defenſivè*, and that without the leaſt communication had with the people of *England* concerning it. And, if a ratification of ſuch an alliance, ſhould be concluded with a factious Commonalty here, and that they might at pleaſure diſturb the Republick, and turn matters upſide down, what an *Anarchy* and wofull confuſion would enſue, as now alas, we ſee too plainly followes in *England*? Truly, if that people had been ſo inclined, and governed, as they now are, (by thoſe who *Regni cauſa* have violated the rights; and to make purchaſe of the *Lords Vineyard*, have *murthered him*, and oppoſe with their utmoſt power and malice, the enthronement of his *lawfull Heire* their undoubted *Soveraigne*) the *Low Countries* ſhould not have obtained ſuch reall friendſhip and advantage from them.

Beſides that, the now *prevailing Party* is not the hundreth part of the people in *England*, in compariſon of thoſe, both of the *Clergie*, *Nobility*, *Gentry*, and *Commons*, who cordially adhere to the *Kings* juſt intereſt, and paſſionatly groan to be delivered from the continued oppreſſions of thoſe cruell Taskmaſters, whoſe little finger lies heavier upon them, then all their Kings whole loins:

And an eminent Member of the late Houſe of Commons, (formerly a ſufferer) in his *Memento* affirms, that there is in the three Kingdomes, ten thouſand to one, who firmly and affectionatly cleave to his *Majeſty*.

In Kingdomes and Republicks (as *Politicians* speak) it is the very same people now, as those that lived an hundred years agoe; as likewise that it is the same ship, although all the planks be renewed; but if the Keel be destroyed, and the form of *Government* and *Fundamentall Lawes* be utterly abolished, *non idem populus, nec eadem navis*, it is not the same people, nor the same ship.

Moreover, by all proofs it is sufficiently known, that the *Predecessors* of the now prevailing Party in *England*, were then so mean and inconsiderable among the people, that they were thought utterly uncapable of having the least hand in the former favours shewn to these *States*.

II. *Trade* and *Traffique* (which they call (the Common interest of a State) are *Juris Gentium*, common to all Nations; consequently, not to be carried on by *Monopolies*, and dammage of a third party especially the eldest, and sometime the most considerable allye of this *Estate*: *Amicitia* (saith *Polybius*) *ita institui par est, ne qua vetustior amicitia, & societas violetur.*

It is remarked by most of the Authors of the *Netherlands History*, that their *Lordships Predecessors* upon a time, being more moved by the *Impositions* of the Duke of *Alva*, of the 10. and 100. penny *respectivè*, then for the violence offered to Religion, (and therefore compared to the *Gergasens*, who preferred their swine before their Saviour) were the more severely punished by God.

And shall the *High* and *Mighty States* now hazard their religious and high esteem in the favour of those, who in regard of Commerce, inlarging of their limits and usurped power, are big with such monstrous mysteries: and of whom it was said long before their troubles.

Gens tacitis prægnans arcanis ardua tentans.

Who derive their power and authority meerly from themselves, as formerly hath been said, in the dominion of the *Chaldeans* over the *Iewes*, and of *Cinna* and *Carbo* amongst the *Romans*, who in the time of *Sylla* made themselves Consuls without any Court election; *Violenta imperia* (saith one

to

to *Caſar*) *ſunt magis acerba quam diuturna.* The rather becauſe no Nation under the Sun is ſo ſubject to a change as *England*, even while they lived under their lawfull *Soveraignes.* The Earle of *Warwick* (called the Titular *King*) in eleven days, *Edward* the fourth in *twenty*, *Henry* the ſeventh in *one day*, (as a *Cæſar veni, vidi, vici*) brought the *Engliſh* ſucceſſively to their obedience.

Commerce and *Traffique* are plauſible pretences, but often accompanied with great jealouſies, eſpecially betwixt neighbouring Republiques; the which like Twins ſtrugling for the *primogeniture*, are in a continuall emulation for profit and prehemineuce. And therefore compared to an *Alluvie*, where the increaſe of one is the decreaſe of theother. Inſomuch, that grave and judicious *Stateſmen* have judged it would be more ſafe, and profitable to theſe States, that *England* continued a *Monarchy*, then to be tumbled into a *Common-wealth*, confirmed by a Prognoſtication of a perſon of credit with them, living at *London*, given out the 16 of *October* laſt, alledging and applying with much confidence, againſt the *United Provinces*, *Iarem.* 51. *verſ.* 13.

III. Concerning the pretended conformity in Religion in the third place, which, under the bleſſed and glorious Government of Kings, as a *Palladium* and Lamp, did out-ſhine all other Nations, is alas, now become a *Pandora*, out of which, *tanquam ex equo Trojano*, do iſſue ſo many monſtrous Sects, Hereſies and Blaſphemies, and is conſequently ſo deformed, (as being utterly deſtitute of *Diſcipline*, and differing in moſt points of *Doctrine*) that it is nothing like the *Religion* here profeſſed, nor indeed Religion it ſelf.

A good *Religion*, as an upright and lively faith, iſſues forth into good *Works*; inſomuch that in the *Primitive* Church, the Chriſtians were diſcerned from the Infidels onely by their *holy life*, according to the proverb, *Chriſtiani non ſunt Caſſiani*; but alas, how many not onely *Caſſii*, but alſo *Albii*, and *Nigri*, are now adayes to be ſeen, witneſſe, beſides the Treaties intituled; *Defenſio pro Carolo Rege*, *Vindicia pro capite Regis Anglia*, *Elenchus motuum*, Maſter. *Prinns Memento*, *Theatrum Tragicum*, *Vox Veritatis*, and others,

two

two Declarations alſo of the 18. of *Ianuary*, 1648. (long before that lamentable *Cataſtrophe*) by divers Preachers and learned Divines, in and about *London*, ſubſcribed by 126 of them, mourning over, and complaining of *horrible* and *ſcandalous* abuſes; as in the *Church*, ſo in the *Civill*, or rather *Military* Government, and ſtrongly refuting their flattering of themſelves in their continued ſucceſſe, which may next be conſidered of.

IV. For as *Solomon* ſaith, *That there be juſt men, to whom it happeneth, ſometime, according to the work of the wicked: So again, there be wicked men, to whom it happeneth according the work of the righteous.*

Succeſſes often are a puniſhment, as ſometimes given for a bleſſing, where onely thoſe are to be valued, whoſe principall aim appeares to be, the true advancement of Gods revealed will in his word; which, as it ſtrictly commandeth obedience to *Kings*, and thoſe in authority under them, ſo it doth ſeverely puniſh ſedition and rebellion againſt them, not ſparing the curſe of condemnation to thoſe, who comply with, and adhere unto them. Neither hath the great *Turk* come far ſhort of (that undoubted bleſſing) *good ſucceſſe*, the now prevailing party juſtifie their cauſe, and meaſure its righteouſneſſe by, though they may ſeem to diſavow him.

Finally, the reſemblance made from the manner of the recovered liberty of both *States* (to uſe the expreſſion of a great perſonage) is not more different then *Milk* and *Ink*, both in regard of the ancient condition of the people on both ſides, and the way of attaining to it.

The *Low Countrey men*, (eſpecially the *Batavi*) have been reputed by all ancient Writers, for a free people, neither ſubject to the *Romans*, (whom they did acknowledge onely *Civilli*, as *Tacitus* ſaith) nor to any *Directors*, *Counts* and *Governors*, which were conſtituted by themſelves.

The *Engliſh* have more then a thouſand years been governed by *Kings*, all ſprung from the ſame Royal Stock, to whom they have ſucceſſively ſworn *Obedience* and *Loyalty*.

The King of *Spain*, after a war of almoſt eighty years, hath in two ſolemne Treaties (the one before the twelve yeares Truce,

Truce, and the other in the late concluded peace) acknowledged the *United Provinces* to be a *Free State*, and that *privative*. Whereupon his Catholique Majeſty for himſelfe and his Succeſſors, hath diſclaimed all *Pretences* of *Soveraiguty* here.

Whereas *Charls* the firſt, that bleſſed Martyr (whoſe innocent blood (like that of *Abels*, cries loud to the higheſt Heaven for vengeance againſt thoſe who now ſit upon his Throne) not onely *was*, but *was ever* by them acknowledged for their lawfull Soveraigne, inſtead of diſclaiming his Royalty over them, (as muſt be if the reſemblance ſtand compleat) was both deveſted of his power, deprived of his life, and his Princely Succeſſor (ſo far as in them lieth) kept back and diſenabled from the exerciſe of his undeniable power over them, whereof let them find an abſolute parallell from the *Creation* untill now.

In Iſrael King *Ahab* did tyrannize, and (as a man ſold unto ſin) above others provoked Gods wrath againſt him. In *Rome* there was *Nero*, more like a Monſter then a Man. Amongſt the Chriſtians, *Chriſtiernus* in *Denmark*, *Wencelaus* in *Bohemia*, (who was likewiſe Emperour) behaved themſelves ſo wickedly, that it was ſaid of them, that they had caſt off humane nature; Nor much unlike to them was *Richard* the third, called the Tyrant of *England*, yet none of all theſe was ever condemned to die by the ſentence of their ſubjects: Inſomuch that it is obſerved, that the Iſraelites after they had deſerted their King *Reboboam* (although an oppreſſor) never enjoyed a happy hour, but were infeſted with continual wars, both civil and forraign, til at laſt they were utterly deſtroyed, and carried captives into *Babylon*.

Of *Nero* it was ſaid *primum damnati Principis exemplum*, I adde *poſtremum, non mactati tamen*, as in this caſe. The *Confederate Provinces* were firſt forced in their Religion, their perſons and goods ſeized, and 100000. of them killed; The prevailing party in *England*, (after thoſe inſolent and high affronts done to his Majeſty, ere his conſtrained removal from his Court at *White-hall*,) took up *Arms*, gave out *Commiſſions*, *levied men*, according to his Majeſties laſt true and

undeniabl

undeniable words) and seized upon the *Regalia*, before He once put himselfe into a posture of defence.

In the *Low Countries* their liberty was *More Majorum*, fully restored to them without prejudice to any man.

In *England Religion* and *Liberty* are shamefully trampled under foot, and the House of Commons so dismembred, and its priviledges violated, that the eighth part of ten, were beyond all parallel cast out, as the *Declaration* and *Protestation* of the secluded members, *Feb.* 13. 1648. doth testifie.

The proceedings of the *High* and *Mighty States*, are approved and justified by all the World; on the contrary, those of the *English* condemned and abhorred, and by themselves confessed as irregular and unwarranntable; a most pregnant proof and *probatio probata*, of their wrong, as is contained in the said *Declaration* of the Ministers.

The which premises the High and Mighty *States* being pleased to take into serious consideration, according to their accustomed wisdome and justice, and calling to mind those divers Treaties betwixt the *Kings Royall Predecessors*, and their *Lordships*, (in his Majesties person yet firmly standing.) And seeing likewise divers of their *Lordships* resolved for a punctuall observation of a neutrality, since the yeare 1642. betwixt the late King, his *Majesties Father* of blessed memory, and his *Parliament*, the which by the partiall confederacy with the one party, now laboured for, wil in all appearance be violated and infringed.

Therefore their Lordships are earnestly intreated not to hearken to the said *Propositions*, as being prejudiciall to the *King* my gracious Masters interests, and dangerous to this State; likewise that the acknowledging them for a free *Republick*, (which possibly the condition of the times, and benefit of *Trade*, hath occasioned,) be not drawn into a further consequence, much lesse an occasion given therby, (forgetting *Iosephs* sufferings,) that the afflicted be yet more afflicted, their *Liberty* retarded, and their calamity lengthened.

His *Majesties affairs* (God be praised) are yet in a very good and hopefull condition, farre better then some of his *Royall Predecessors*, who have notwithstanding run through

all

all *difficulties*, and became *considerable* to their *friends*, as *formidable* to their *enemies*.

King Robert the *Bruce*, about three hundred years agoe, being likewise by the Rebellion of his subjects, and the disloyaltie of the *Baliol* and *Cumming*, and their adherents, fiercely assailed by *King Edward* of *England*, who at once was possessed, of most of the Towns, and strengths in *Scotland*, kept a Parliament in Saint *Andrews*, took his Queen prisoner, killed four of his brethren, amongst whom were those *duo fulmina belli*, defaced or removed all the *Monuments*, and Registers of that Kingdom, was constrained with one or two servants to hide himself among the Hills, yet notwithstanding all this, in a short time after, recovered his whole Kingdom, was Crowned with Honor, and Glory, and forced his insolent Enemie in confusion to fly from *Sterling* to *Dumbarr*, and thence in a Fisher-boat, (*Xerxes* like) escaped narrowly with his life. I say *Sterling*,

Invictum, & fatale Scotorum propugnaculum:

Of which 'tis said:

Hic latium remorata est Scotia cursum.

His Majesties Royal Grand Father, *Henry* the fourth, King of *France* and *Navarre*, (yet of fresh memory) was in a lower condition, and had less power to resist those of the League and the powerfull King of *Spain*; yet at last became victorious, in the overthrow of his enemies, to the great advantage, and very considerable succour of the *Netherlands*.

The distressed condition of the Predecessors of the *High* and *Mighty States General*, whom after so many changes the Almighty God hath (to the admiration of the whole World) brought into a safe Haven, (however *Sirius* a Spanish Writer jesting with those of *Holland* and their confederates, did say, *What can the Hollanders do against the King of Spain? as, now*, some scoffingly aske, how can the *Scots* stand against the powerfull *English*?) is an eminent, and visible example, that it is all one, with the Lord, to help with few or with many, and that when all strength, and humane hopes do fail, he will arise Gloriously, for the deliverance of the righteous, crowning them in the end, with honor and good success.

I. Shal we then look upon the present successes, and prosperity of that party, as alone unchangeable, for the which such strange grounds are by them pretended, as are no where found, being so *Diametrically* opposite, according to the Declaration of the said Divines, in, and about *London.* TO

I. Gods holy word.

II. The instinct of nature.

III. Natural reason.

IV. The Laws of all Nations.

V. The constitutions particularly of the Kingdome of *England* (who above all other people most obsequiously, and affectionately regard and reverence their Kings) as in those maxims of their Law. *Rex non moritur, Rex nulli facit injuriam,* &c.

VI. The Judgement of all Casuists.

VII. Their Oaths of Fealty, Supremacy, and Allegiance, repeated particularly at the admission of every Member into the House of Commons, their Protestation, their Covenant, their Solemn League and Covenant, and an hundred Declarations (besides the Pulique Faith of the Kingdom of *England*, solemnly given to the Commissioners of the Kingdom of *Scotland*, upon their receiving his Majestie at *New*-Castle) in all which, they professed to the world, that they would

would maintain and preſerve, with their lives, and Eſtates, the Kings Perſon, Honor, Rights, and Royal Poſterity.

II. Or, ſhall we reſt ſatisfied in the Sophiſtry of thoſe Sectaries? who out of Chriſts anſwer to the ſubtil queſtion of the Herodians and Phariſees, (if it were lawfull to give tribute to *Ceſar*,) anſwered, *oſtendite mihi numiſma, cujus habet imaginem?* inferre, that *fide implicitâ*, the party now in *England*, is to be acknowledged, without any further enquiry, or examination, ſince our Saviours anſwer ſpeaks nothing for their advantage. But on the contrary, his commanding Tribute to be given to *Ceſar* (whom the *Jewes* formerly acknowledged to be their King) confirmeth, and eſtabliſheth lawfull power, and conſequently condemneth ſedition and rebellion; elſe *David* ſhould have ſubmitted unto, and acquieſſed in the uſurped power of *Abſolom*, who was poſſeſſed of all the land, even unto *Iordan*, and carried away all *Iſrael* after him, and *Solomon* in the power of *Adonijah*, *Iehoiada* in *Athalia's*, and the *Machabees* in the power of *Antiochus Epiphanes* the grand enemy of the *Iews*, yea the Eſtates of the United Provinces ſhould have then obeyed the force of the Duke of *Alva*, who by the emblem of his Statue formerly ſet up in *Antwerp*, did ſignifie that he had inveſted himſelf with the abſolute power. It is well ſaid, by one of the Ancients, *Omnis poteſtas eſt à Deo; ſed acquiſitio poteſtatis, furto, rapina, incendio, aut perduellione, non eſt à Deo, ſed ab hominum affectibus & Satanæ malitiâ.*

III. Or, may we ſuffer our ſelves to be abuſed by the examples and preſidents, which the ſaid Sectaries alledg of the Kings, *Edward* the ſecond, and *Richard* the ſecond, who, by reaſon of their incapacity, were forced to reſigne their Crowns, the one to his ſon, the other to his Competitor King *Henry* the fourth, but neither of them to an inconſide-

table, shall remainder of an house of Commons, or the People. Onely in a full Parliament both their resignations were confirmed, and neither executed, but were alway afterwards honorably entertained; yea, one *Roger Mortimer* (which is worth the observing) the chief Author and actor in deposing of *Edward* the second, and Crowning his son *Edward* the third in his fathers place, (according to which President his Majesty, *Charls* the second, ought by these to have been Crowned) was by a Parliament four years after, together with his fellow-murtherers, condemned as a Traytor, and enemy to the King and Kingdome, because he killed the said deposed King in *Berkley Castle*.

Besides, the now prevailing Party, by Solemn Protestations, did publish and declare to all the world, that they did not intend to follow those accursed Presidents, although they should suffer never so much by the King and his Party: *Exact. Collect.* p. 69.

IV. Should we not rather deeply apprehend, and with fear look upon those exemplary punishments inflicted upon perjury, and Covenant-breaking in Gods holy word, as may be seen (to omit others, in the person of *Saul*, who together with his posterity, as also the whole Kingdome of *Israel*, was so severely punished because he destroyed the *Gibeonits*, against the Covenant made with *Joshua*, above 200 years before, notwithstanding they procured the same deceitfully. As likewise in the History of *England*, and other Kingdoms, many pregnant examples to that purpose might be alleadged; particularly that of *William Thorpe*, Chief Justice of the Kings Bench in that Realm, who for taking a bribe of 80 pounds *Sterling*, was put to death, and all his goods confiscated to the Kings use, in regard that in so doing he violated the Oath of a Judge as the words run, *Quod Sacramentum Domini Regis, quod erga populum habuit custodiendum, fregit malitiosè, falsò & rebelliter.* Parl. 23. Edw. 3d.

An Answer to their Memorials.

THe Memorials I pass over, as monstrous, and which by inevitable consequence, not onely tend to cut off all Treaties and alliances betwixt the Kings Majesty and this State, and all commerce with his loyal and faithfull Subjects, but likewise in some cases to the not suffering of them to dwel or reside in these parts.

A demand which is against the band of common society amongst men, the Soveraignty of the united Provinces, and Liberty of the same, which have ever been a Sanctuary for honest men, and a receptacle of all Nations whatsoever: In a word such, *quale victor victo dare, non socius socium rogare solet.* The cruelty of *Tiberius, Nero, Domitian*, and others hath for the most part been confined within the walls of *Rome*, or the borders of *Italy*, without persecuting their opposers, in a strange land as an, *omnibus umbra locis adero.*

Concerning the thirty six Articles of the Treaty.

The thirty six Articles evidently bend,

I. TO hinder his Majesties Just Right, and Restitution to his hereditary Crown, and Kingdom of *England.*

II. To involve the High and Mighty States Generall in a Labyrinth and great inconveniencies, who at present have no enemy.

III. To encourage and strengthen the Kings irreconcilable enemies, and Rebels, as the 4, 5, 6, and 31 Articles doe import.

IV. Against the forementioned resolutions of the High and Mighty States, in the year 1642, concerning the keeping a Neutrality betwixt his Majesties Father of blessed Memory,

memory, and his Parliament of *England*, namely those of the 1 of *November*, and 30 of *December* 1641 and the 6 of *November* 1648.

V. Against a Declaration and Protestation of the Noble and Mighty States of *Holland* and *West-Friesland*, dated the 6 of *November* 1649 to the same purpose.

VI. Against all former Treaties, and Alliances betwixt his Majesties Royall Predecessors and this State.

As amongst others, that of the 14 of *February* 1593 (likewise consisting of 36 Articles) betwixt King *Henry* the 7 of *England*, his Heirs and Successors, made in his name, and by his Authority (as the words of the said Treaty do bear) and *Philip* Arch Duke of *Austria*, and Duke of *Burgundy*, which binde and obliege to this very day, divers of the United Provinces, and the chief Members and Towns thereof, to assist the said King *Henry* the 7 and his Heirs (which unquestionably pleadeth for my Master, *Charls* the second, he being the sixth from him in descent *in linea recta*) and to afford them all favour and friendly assistance, as well by Sea as by Land, and prohibiteth any Treaty and Alliance to be made with the Rebels, and the Enemies of one another.

Whose undoubted right, according to Gods sacred word, the Lawes, and the Fundamentall Constitutions of the Kingdom of *England* as, (*Rex non moritur*, &c.) is firmly radicated in his Majesties Person, however he by violence be kept from it.

Non unquam perdidit ordo
Mutato sua Jura loco.

In so much that the ancient *Romans* by the light of nature did refuse to enter into any Alliance with *Nabis* the *Usurper* of *Lacedamon*, but continued the same with the Just and lawfull King *Pelopides*. *Amicitia & societas nobis nulla tecum est* (saith *Tit: Quintius* in the behalf of the *Roman* Empire, *apud Livium* lib. 34.) *Sed cum Pelopide Rege Lacedamoniorum, justo & legitimo facta est.*

Finally against the renewed Treaty in the year 1550. *December* 15. made at *Bins* in *Henegow* (called the *Perpetuall Treaty*)

Treaty) betwixt the tutors of *Mary* Q. of *Scotland*, in her minority, and Queen *Mary* of *Hungary*, Regent for *Charls* the fifth in the *Low-Countreys*, renewed again *in ſolenni forma* (word by word) at *Edinburgh* 1594. betwixt King *James* the fixth and the *High* and *Mighty States*, after the Baptiſme of the Late Prince *Henry*, his Majeſties ſon, celebrated at *Sterling*.

In the which it is promiſed and agreed upon, *inviolably* to *maintain* and *preſerve* mutuall friendſhip one with another, for *all ages* to *come*, and as farre as in them lay, to *prevent*, and *hinder* any *dammage* that may befall either of them, that they ſhall Trafique in ſafety and ſecurity, and likewiſe, that they ſhall aſſiſt each other with Ships, and all ſort of *Ammunition*, as may be ſeen at length in the Treaty it ſelf, inſerted by *Peter Bor* in his 30 book.

But how oppoſite this is to their 4. 5, and 31 Articles propounded to your Lordſhips, appeareth clearly out of the words there contained, where they not onely deny to the King and his Subjects, *privativè*, all favour, friendſhip, and proviſion of War, but likewiſe endeavour to obliege your Lordſhips, *De facto*, to infeſt and make war upon them, as having now no other Enemies (as they themſelves give out) but *Scotland*.

But expecting better things of the *High* and *Mighty States*, and a Religious obſervation of all Treaties, Reſolutions, Proteſtations, and Declarations; Your Lordſhips are intreated not to give ear to the ſaid Propoſitions, and Memorials, as alſo that the ſaid 36 Articles periſhing in their birth, may not be taken into any further Conſideration.

The Lord will reward every one according to his works, and I wiſh that he may ever bleſs the *High* and *Mighty States* with his Fatherly Protection, and keep them from contracting any League and Alliance, which may be attended with Diſhonor and Dammage unto them.

THE END.

ANIMADVERSIONS
UPON A CERTAIN
SCOTTISH ANSWER,
SET FORTH AGAINST
The { Propositions & Memorandums
OF THE
English Ambassadors, &c.
SERVING
For a right Information of the plainer Sort.

ROM. 13. 1.

Let every Soul be subject to the Higher Powers: For there is no Power but of GOD, and the powers which are, are ordained of GOD.

PROV. 24. 21.

Fear the King, [that is to say] *All Magistrates.*

Written and printed first in *Dutch* by a Gentleman of *Holland*, and now translated into *English*.

London, Re-printed 1651.

Animadversions

Upon a certain *Scottish* Answer, put forth against the *Propositions* and *Memorandums* of the *English Ambassadors*, &c.

THe *Answerer* hath this expression in the Title of his Answer, [*By the English Ambassadors, as they stile themselves*] just as if no body else did acknowledge them for such. Such an untruth appearing presently in the Front, makes every one guesse the House is alike furnished within. Not they themselves, but the K of *Spain*, the K. of *Portugall*, the State of *Venice*, the Duke of *Florence*, the Republick of *Genua*, doe thus acknowledge them. And the *Answerer* himselfe knowes very well, that the supream power of this Place hath done the same:

From the Text, *Feare God and the King*, the *Answerer* would fain inferre, that they ought both to be feared in one and the same degree, taxing thereby this very State as much as the *English*, We must fear God more then men. The King is a man: the *Scots* themselves did understand it so, when as in the late troubles they persecuted their King by warre, and at last delivered him up unto the *English* for money; as the said King himself professeth in the 23 Chapter of his printed Book of *Meditations*.

In the beginning of the Discourse the *Answerer* alledges, That the ancient Contracts and Friendships were not made between *England* and this State, but between the Kings of *England* and this State. And wherefore saith he not, between the Kings of *England* and *Spain* respectively? but that he is convinced that State, that is to say, the Representatives of the Countries, and the People, are * the *Bride for whom is danced*, The King or Prince is for the peoples sake, not the people for the Kings sake.

* A Dutch phrase.

The King of *Denmark* said likewise in the beginning: He and

and his Predeceſſors had contracted with the Duke of *Burgundie*, with the King of *Spain*, not with the *States*; he knew no *States*, and denied any treaty with them. But his Majeſty hath been better informed ſince, having of his own accord often deſired a Treaty with theſe States, as other Kings and Potentates have done, who thereby doe and muſt acknowledge, that a *King* or *Prince* doth and ought to do all in dealing, treating, or tranſacting, *pro populo, pro ſalute populi*: For the people, for the weale of the people (which is the ſupream Law) not for himſelfe. That the name of the King or Prince is uſed therein, no otherwiſe but *Nomine procuratorio, vel tutorio*, as a Truſtee, or Guardian: So their Lordſhips the States underſtood it alſo, when on *May* 2. laſt paſt, they preſented unto the *Engliſh Embaſſadors*, the ancient Treaty of 1495. made in the Names of the King of *England*, and the Archduke of *Auſtria*. King *James* of *Scotland* implied as much when he ſought in *Anno* 1594. to renew the old Treatie (with the States Generall) formerly made in the name of Queen *Mary* of *Scotland*, 1541. which agreeth in every reſpect with the practice of all other Princes.

The *Anſwerer* ſaith, That the States in *Anno* 1584. did offer the Soveraignty of theſe Countries to Q. *Elizabeth*. To what purpoſe he utters this, I cannot imagine; For, it will not follow thence, that this State cannot be allowed to treat with the State of *England*, though there be no King; ſince the ſaid Queen, and the Kings after her treated with us, even after we had caſt off our King, as the *Engliſh* have now done theirs.

If this State made offer of the Soveraignty to Q. *Elizabeth*, doubtles it was on certain conditions; which if ſhe or her Succeſſors had not kept, we ſhould not have ſcrupled to have recovered the ſame into our hands again, even as the *Engliſh* have don. Among the *Barbarians* and Savages it is confeſt indeed, that their Kings wil be bound to no Laws, (though oft-times they fare accordingly: For, how many have there been even in our times, of *Turkiſh* & other Heathen Emperours & Kings made away?) But among *Chriſtians* no King or Prince was ever heard of, but he muſt ſwear to maintain the Laws. If any

Prince prove perjured and break them, so soon as the breach is made, the people are freed from their obedience.

The supply both of men and money which the *Queen* sent for our reliefe, came from the people themselves, and out of the peoples purse; the people did consent unto it, and grant it. *Untrue therefore* it is, which the *Answerer* affirmes, that the said succour and assistance was sent without the co-operation or consent of the people of *England*.

If the people of *England* had any Monarch at this instant, to whom they had given up the power of Treating, then our addresses of Treaty should be made to him; but there being no such thing, and we not able to subsist without the friendship of *England*, therefore we must treat with *England* as it is now governed.

And truly the late Summers proceedings and attempt in this Countrey, (when our own Freedom ran greatest hazard) may well awake us to circumspection, and cause us to rejoyce that *England* is no Monarchy now, but a Free State, of the same constitution with ours, and to wish that thus it may continue; For, all the dependants and kindred of the young Prince of *Orange*, maintain still, we ought, must, & are bound both by the merits of the House of *Nassau*, and for our own subsistence sake, to take the young *Prince* again for our Head, Generall and Governor: And were the King of *Scotland* master of *England*, he would maintain it as strongly as any, and seek to force the child upon us.

As for the favours and assistances that King *James* and *Charles* afforded us, they doe not merit naming; we had more hurt then good by them. And King *Charles* never kept touch with us, as is well known. If in those times the people or Parliament had been in Government, as now they are, they would have better managed the Revenews of *England* (which Kings waste, or play away) to procure our effectuall liberty, such as now both *England* and we enjoy, but not after the method that *Leicester intended*.

The *Answerer* saith, that the prevailing party make not up the hundreth part of the people of *England*. Why truly then the *Ninety-nine Royalists* that suffer one *Parliamenteer* to domineer

manner is over them, muſt be very notable Cowards.

I am ſure there were ſeven or eight *Royaliſts* at the *Hague* made a ſhift to diſpatch one *Doriſlaus*, and at *Madrid* onely five or ſix did murther *Aſcham*; but an hundred to be overcome and kept under by one, how is it poſſible? This Tale hath for theſe many years been pin'd to our ſleeves; yet ſtill the *Parliamenteers* get the better, and keep the better.

Englands greateſt Power, the flower of the Parliaments Forces, is now in *Scotland*; I marvell the *ninety-nine* to one are ſo tame and quiet ſtill in *England*; as nowhere to ſhew themſelves.

The compariſon of *England* with a ſhip, doth hold as good a proportion as the *ninety-nine* to one. The *Engliſh* people and Nation is and abides the ſame it was; the *individuals* decay, the *ſpecies* remains. A *Ship* and a *People* fit as well as a *Cat* and a *Duck*; but I conceive the *Anſwerer* means the Trees whereof the ſhip is built: for they do propagate and multiply according to their kind, like men, and that is more ſutable to the opinion of ſome ſoothing *Court-Paraſites*, ſuch as our *Anſwerer* proves himſelfe, that ſubjects are no otherwiſe then trees: others compare them to beaſts, as if a Prince were ſo much better then the ſubjects, as another man is better then a beaſt: that is to ſay, The beaſts are beaſts to men, but the ſubjects are their Princes beaſts; A beaſtly opinion.

The entercourſes of Commerce, ſaith the *Anſwerer*, are common to all Nations; Why then the King of *Scotland* doth very ill in ſtopping and moleſting the free and common commerce of all Nations from the *Sillies*, *Ierſie*, *Ireland*, *Dunkerk*, &c. to ſo great prejudice of the Seamen, that the dammage in this kinde can no longer be endured. The *Engliſh* have the ſame aim with us, for clearing of the ſea. I cannot tell what he means by his *Gargazens Trade*. *Navigation* is the life of this State: *Religion* and *Trade* doe not deſtroy one another, as it ſeems he would inferre; and how doth he talk of Religion? He himſelfe is profeſſedly againſt the Epiſcopall way (which all the *Royaliſts* and the *Princeſſe Royall*, and the *Queen* of *Bohemia* are ſtill addicted to) and holds with the *Presbyterians*; with whom our own people (for matter of

Ex-

Excommunication and *Discipline*) do not agree. He saith farther, *Violent Governments are not lasting*: By that rule, no *Monarchicall* Government should be lasting; for their Sword onely doth support them. He saith *England* is subject to great alterations, yea, more than any Countrey under the Sun. He means under Kingly Government: But by and by he sowes jealousies, by saying, that *England* continuing a Commonwealth, it is like to increase mightily in Trade and Navigation, and that the increase of Trade in *England*, will make ours to decay in *Holland*. These assertions do mightily thwart one another. First, he says; There is 100 *Royalists* to one Parliamentier; then, *England* is extreamly subject to changes and alterations; within the space of 11 or 20 days, it hath been lost and won; and then presently after he saith, *England* continuing a Republique, will make our Trade decay. *Ergò* his minde and fear prompts him, that the English Republique may well endure somewhat more then 11 or 20 days. These Passages of his contradicting each other, are an Argument of a short memory, or that he goes about to abuse us with *slim slam* tales. For, how doth it appear that our Trade shall be spoiled by the *English*? They send and offer us reall assistance and protection against the manifold depredations we suffer by others.

If both these Republicks were well united, yet the number of Monarchies round about them, will finde worke enough for both to maintain their Negotiations jointly: How much less then is *England* alone like to get all the Trade to themselves? The English may be strugling a good while yet, before a secure setling; they will not want enemies at home and abroad, to make attempts upon them; as the *Answerer* himself confesseth.

The Prognostick of *October* 16 which he speaks of, is an insinuation of the same nature with those Victories, successes, and advantages which he daily forged, and printed here last Summer, which by the Blow at *Dunbar* evaporated all immediately. Those that tell us of *Almanacks* and *Prognosticks*, shew they have but few and slender Reasons left them to produce. I could reply to him out of *Spinrock's* Gospell.

Religion,

Religion, ſaith he, was wont to ſhine forth under the *Kingly Government*. How comes this Anſwerer to praiſe the Kings Religion, whereas himſelf as well as the reſt of his *Scots* Countreymen, have not onely made the firſt inſurrection againſt the Kings Religion; but entred into a Covenant and raiſed war, and at laſt ſold the King for money (according to the Kings own publiſhed profeſſion; Principally againſt the Kings Religion, or againſt the innovation thereof at leaſt. And what the King ſaid further of the *Scots* Religion, and conſequently of the *Anſwerers* Religion, you may read at large in the 14 and 16 Chapters of his printed Book. It is well known what harſh and bitter Sermons and Books were made but lately at *Breda* and the *Hague*, againſt the *Reformed Religion*, whom they ſtill hatefully termed *Calviniſts*. Are there in *England* divers Sects? there are here alſo not a few, God mend it; and even as the Governors here would gladly ſee it otherwiſe, ſo likewiſe thoſe in *England*; in the mean time, we are aſſured, that in *England* divers books are forbidden, and were burnt by the *Hangman*, which here paſſe up and downe yet every where.

The Ambaſſadors have in the Name and behalf of the whole Engliſh Government, declared the Conformity of their Religion with ours: They tolerate ſome others; and ſo do we; onely we allow more and greater toleration then they: Neither we nor they approve of a *Spaniſh Inquiſition*.

They do not allow the Church an abſolute power of Excommunication; no more do we; and the Scottiſh Kirk alſo was fain to remit it now themſelves. So that the Presbyterians rage and roaring againſt Sects and Sectaries is groundleſs; for between themſelves and the Independents (ſo named) there is no difference in the main of Religion, or profeſſion, beſides Diſcipline; but it ſhould ſeem the Presbyterian *Bouteſeus*, aim at a *Papall Power*, to adminiſter the *Jus Clavium* at pleaſure, as the *Scots* have: But their young King hath already taught them another Leſſon; diſapproving thereby alſo the Engliſh Presbyterians. It were much

much to be wished indeed, that all men were of one minde; that there were but one Religion: Our *Answerer* I believe knows as little how to advise or compasse it, as others. Nay, he himself refusing to go to the same Church where the King went, during his abode here, and the Queen of *Bohemia* and the Princess Royal, and all the Royalists, doth thereby sufficiently evidence, that there are sects and divisions, as well between his party and the Kings, as there is between the *English* and the *Presbyterians*. That which he mentioneth of the good life of his Royal Christians, I profess, I understand not: If by a good life he means, a merry, joviall life, (*dum vixit, vixit benè*) I yeild, that at Court they live more merrie and frollick then elsewhere; and thence it is, that at *London* they have put down all the Play-Houses, and such like places and practises of profane and scandalous recreation. That otherwise the life and fruitfull Conversation of the Royalists should be more holy and exemplary, then that of the English Independents, as they call them, I never heard of before. Were they not the Kings evil Councellors, his flatterers, and seducers (whom I return to the *Answerer* for his *Albii, Cassii, Nigri*) that made as well the Presbyterians, as the rest, complaine so much against him from time to time?

And *I* pray, were not the Presbyterians the first and the onely men, that took the King to task? The *Answerer* himself was one of them, and of those Covenanters, that supplanted the King, for his maintaining the *Episcopal Hierarchie*: And when the Presbyterians afterwards went about to introduce the *Presbyterian Hierarchie* (changing onely the Name, and maintaining the Substance) then said the others whom he calls *Independents*, Soft my Masters; we have freed our selves from the Bishops Yoke; shall we put our necks under the *Presbyterians*? The *Answerer* alledgeth some other books which make for him. How many other blew books might easily be produced against the same, and to his prejudice?

The King himself complains in his book *ch.* 15. and 21. how much hurt these books did him; so that I know not why the *Answerer* so highly esteems these blew books, and that

that publickly in print too now, as well as in the *Generall Aſſembly*; odiouſly checking the Soveraign Government here, for having begun to treat with the *Engliſh*; and preſumptuouſly ſpreading the ſame abroad among the Commons; as though the *Magiſtrates* were regardleſs of their Office; and as if he intended to inſenſe and raiſe the *Commons* againſt the *Governors*; contemning the publick Ordinances in this behalf. As for the *Succeſſes*, the *Anſwerer* knows well enough that ſeveral other Kings, Republicks, Princes and Potentates had beforehand acknowledged the Republick of *England* and honored the ſame with their Ambaſſies, and Credentials: And *England* alſo ſent firſt unto this State, before this State ſent to *England*. We have not looked upon the ſucceſſes, but upon the Example of others.

The *Anſwerer ſaith*, that the *Engliſh themſelves* do diſavow the great *Turk*: Again, the *Gentleman* throwes it beyond my reach, or he knows not what he avers himſelf. I never heard of any ſuch Diſavowing; but this I know well on the contrary, that all *Chriſtian Potentates*, acknowledge the *Turk* for what He is, and accordingly honor him with their *Ambaſſies*: The *Anſwerer's* King himſelf, ſcrupled not to ſend to the *Turk*; no more doth the *Engliſh* Republick. Men, Laws, Governments, muſt every where be taken and uſed as they are. As long as the *Anſwerer* and his King are forced to let the Government remain as it is, ſo they muſt give us leave to do the ſame.

The *Anſwerer* ſaith, that there is as much difference between the *Engliſh* Government and Liberty, and that of ours, as there is between *Milk* and *Ink*, according to the ſaying of one *Salmaſius*, calling him a great Perſonage. Sure the *Anſwerer* knows well that *Salmaſius* his Book, where he had this *crotchet*, is publickly declared a Libell and ſcandalous here. Do great Perſonages uſe to write Libells?

Furthermore, He ſaith, That the *Batavians* or *Hollanders*, have been a Free Nation from all Ages, and under the ſubjection of none. Certainly he is a dreaming; or elſe he hath the art to make white black, and black white, at pleaſure: or, *Milk* and *Ink* is all one to him. What, hath not

Holland been under Earls above eight hundred years? And lastly, under the House of *Burgundy*, *Austria*, and *Spain*? Indeed the *Earls* were tied to *Laws*, and so were the Kings of *England*; if he say, an *Earl* is no *King*; I answer, *England* is divided in more then fifty Counties, or Earldomes; so *France* is divided into many Principalities and Counties. He that gets the command over them, soon gets a Title, *King*, *Prince*, *Earl*, or *Lord*; it comes all to one, if they have no Superiours. But all of them are bound to their Oaths, and the Laws. Neither in *France*, nor in *Spain*, nor anywhere else, are Kings allowed an unlimited power. The Examples in *France* are too fresh to rehearse them.

The Kings of *Spain* have been Earls of *Holland*, and acknowledged no superiors; now being freed from *Spain*, there is none appearing that pretend any right to *Holland*. Nevertheless he was bound to the laws by an oath.

So the King of *England* was Earle of *Essexshire*, *Sussex*, *Yorkshire*, and of all the rest, compendiously called King of *England*, *Scotland*, *Ireland*, but bound to the Lawes.

They of *Holland* perceiving their King had infringed the Laws, thereupon they opposed him, and fought themselves free; *Bene & feliciter* (saith the King of *Spains* Embassador Count *Pigneranda*) *pro libertate pugnastis; ea vobis debetur.* The *English* in like manner perceived their King had trespassed against the laws, and falsified his oath, whereupon they opposed him 'til they fought themselves into the same condition of *Freedom*.

I could say somewhat more here: That the King of *England* out-did *Spain*. He of *Spain* had sworn to the *Roman* Religion, and conceived himself bound to protect it according to his *Oath*: but the King of *England* being sworn to the *Protestant* Religion, is charged to have acted against it, innovated it, and had he gotten the mastery, would have changed it.

That this Assertion (owned as well by the *Scots* as the *English*) is most true, appeares by the *Covenant*, first made by the *Scots*, and afterwards embraced also by the *English*: Look upon *Chapt.* 14. of the *Kings Book*, see what he saith there himselfe of the *Covenant*: Again, the *Covenant* very expres-

ly

ly ſhewed, that the King had an intent to alter Religion and Laws. The *Anſwerer* himſelfe was a *Covenanter* and *Parliamenteer*, and blew as fiercely and zealouſly as any againſt the Kings deſigne of Innovation, as they termed it. The ſecond and third Article of the *Covenant* ſpeaks very plain. And there have been a thouſand books written both by the *Scots* & *Engliſh Presbyterians* on that ſubject. Nay, the *Scots* themſelves have even ſince the late Kings death, excommunicated all that had and did adhere to the King (calling them *Engagers*) and declared them *Given over to the Devill*. And for this cauſe they put poore *Montroſſe* to death, and refuſed him *Abſolution*. And what afterwards the King himſelf, and *Hamilton*, *Middleton*, *Lauderdale*, & others of this party, have ſuffered, is notorious to all the world. Alſo, how this King was fain to do penance, and to confeſs the bloud guiltineſs of his Father's Houſe. How ever, all the difference betwixt the Kings of *England*, and *Spain*, was only this; that He of *England* did more, and He of *Spain*, leſs againſt the Religion that each of them was ſworn to.

It is well known, that the *Scots* were the firſt, that made a *Covenant*, and thereupon took up arms, even as the Nobility heretofore in the *Netherlands*, made a League or Union, and took up arms to defend it. The *Scots* having cleared their own Land of all the *Royall* deſigns and adherents, were not content therewith, but proceeded to aſſiſt the *Engliſh*, who were as eager to be rid of the ſame incumbrances. Which being effected, and the King brought to this paſs, that he ſaw no remedy left him, then he betook himſelf to the *Scots* at laſt, his own Country men, as confiding more in them. Why did not the *Scots* then take him home along with them? They ſaid, it was not expedient; the *King* might eaſily put *Scotland* into new broils, as the *Engliſh* found afterwards among themſelves; for then broke firſt out thoſe differences betwixt *Presbyterians* and *Independents*; the former would have a new *Hierarchy* introduced, like that of the *Scots*; the later would have the *Reformed Religion* maintained, as it now ſtands among them, only they would bear with *tender conſciences*, and ſome others, as wee doe likewiſe here.

The King of *Spain* hath given up his Right, and acknowledged this a *Free State*: had the King of *England* done the like, or would this King content himſelf yet with the *Scottiſh* Crown, as his Fore-fathers did, the war would ſoon be at an end. And herein *Philip* ſhewed himſelf more reaſonable and righteous, then *Charls*, whom nevertheleſs hee ſtyles, that *Bleſſed Martyr*, ſo highly wronged and perſecuted, not remembring, at leaſt concealing, that they were the *Scots*, who began this violent dealing with him. But none of this concerns us, nor can we help it. If the *Scots* will begin troubles and war, and the Neighbour Kings and Potentates, will wink at it, what is that to us?

What is farther ſaid by the *Anſwerer*, about the Kings death, concerns not us of *Holland* at all. If a King wageth war with his ſubjects, he muſt needs reſolve to run the hazard. Kings and Princes are fleſh and bloud, and mortal as well as others. As much might have been done in a Charge by the Sword of a *private ſoldier*, as was afterwards by the hand of the *Executioner*. The Quality or Majeſty of a King or Prince, is of no conſideration to the ſteel or lead of the meaneſt ſoldier, *& noſtro ſequitur de vulnere ſanguis. Majeſtate nihil contemtius, nec infirmius, ſi ſint qui contemnant. A living Dog is better then a dead Lion.* A Peſant, owner of ſome Land, is better then a King, without Land. He that will not ſubmit himſelf to the Diſcretion of a *Conquerour*, ſhould not runne the hazard of being conquered. The *Conquering party* ſaw no other *Expedient*, no farther truſt given; even during the Kings reſtraint, there was faction upon faction, diviſion upon diviſion, inſurrection upon inſurrection raiſed. The meaneſt creature, the pooreſt worm ſeeks for ſelf-preſervation. How much more a Man? If there had been any meanes left under Heaven, whereby a firm confidence could have been recovered, it is very probable, the *Prevailing party* would have yeilded to it. But to put all their Fortunes, Reputation, Freedom, Life, and Being, upon a new hazard again, no Reaſon could adviſe them.

Now, as to the matter of depoſing, and deſtroying of Kings, it is ſo common, both in *England* and *Scotland*, that

I admire; why the *Anſwerer* makes it ſo ſtrange and prodigious. But all theſe things are ſo largely ſet forth in printed Boooks and Pamphlets, that the *Anſwerer* hath little reaſon to make a wonder of it. *Omnia jam vulgata.*

To make an alliance with *England* were unneceſſary if our Commerce and Liberties were not in danger. We are bound to look to their preſervation. The Depredations are unſupportable! We do not afflict the afflicted; but thoſe whom he calls the afflicted, afflict us.

As for the affliction of *Joſeph*, we know not what it means, unleſs he make *Joſeph* a *Cavalier*; and under that notion the *Scots* themſelves were the firſt that perſecuted him. And that party in *Scotland* which the *Anſwerer* himſelf doth eſteem the honeſter, *viz.* the *Kirk-party*, they abhor the *Royaliſts*, calling them *Malignants*. The *Engliſh* Ambaſſadors have declared here in their firſt Propoſition, they came not out of neceſſity, but to ſhew, they were willing to chooſe this State for their beſt friends. They have not deſired to ingage us againſt the *Scots*. But it is well known both to them and us, what practices and mighty indeavours, the *Royal party* hath uſed theſe many years to ingage this State againſt the Parliament, now the Common-wealth of *England*. What partial proceedings were there a foot? All that came from the *King*, had audience at pleaſure; the *Parliament* none. The Stateſ-men of war, were (though moſtly beſides the States knowledge) imployed in the ſervice of the *King* and his *Party*, as if they had been his own. What would have been the iſſue think you, if they had ingaged us to make war againſt the Parliament, but to ſacrifice our *Power*, our Treaſure, our Freedome, for the inſlaving both the Parliament and our Selves? Is it forgotten already, what paſt here among us laſt Summer? Had *Amſterdam*, and the Bank of *Amſterdam*, been but ſurpriſed once, nay, had but *one man* continued alive, we ſhould have been in a caſe ſad and bad enough.

After that this danger was over, and we had called the *Grand Aſſembly* together, for the ſettlement of our Freedom, they acknowledged the Common-wealth of *England*, and

and resolved to send an Ambassador to them; the Parliament shewed themselves so honourable and civil, that they prevented us, concurring with our own desires, of settling both these *Republicks*, in a posture against all that should at any time attempt ought against them. They considered who was their present Enemy, and how near the King of *Scots* was allied to him, that by his late practises discloſed so much of his Designs against *Holland*, *Amsterdam*, and the whole State. Also what special correspondence there past between these two, to reduce both *Republicks* to a plenary Subjection. Afterwards when the *English* had gotten the start of their Adversary, by the great Victory at *Dunbar*: Then it is to be observed, that they came out of a cordiall zeal and affection to deliver us likewise, and to further the settlement of our State, and by an union with them, render us secure at home, and feared abroad. How, and by whom the effect thereof hath been protracted hitherto, is well known; namely, by those who still are Preaching to us, that we should submit our selves under the young Prince of *Orange*; that is to say, under the sister of the King of *Scotland*, the Guardianess of him, whom they would fain force upon us for our Head and Guardian.

The following both Scripture and prophane Allegations and Histories registred by the *Answerer*, are to no purpose, being a thousand times refuted. Gods holy Word, the instinct of Nature, right reason, the Laws, the Judgements of the *Casuists*, the Oaths, Covenants, and all these are things the Parliament alledge for themselves, with more reason and advantage, then the *Royalists*. Those sayings, *Rex non moritur, & Rex nulli facit injuriam*, are known to be rank flatteries, and neither in *England*, nor in any other Kingdome allowed of. I wonder how this man durst averr such things in the face of this *Republick*.

As also, that he durst call that a *Sophisme*, which the States of *Holland* had made use of, to induce the rest of the Provinces to the Acknowledgement of the *English Republick*, *viz.* to give unto *Cesar*, (that is, the present Possessor or Incumbent) that which is *Cesars*. Why did he not first make

known

known this ſubtle ſolution of that Sophiſm to *Spain*, *Portugal*, *Venice*, *Florence*, *Genua*? (*France* would fain come on too.) Did they underſtand the *Date Cæſari* thus? we had more reaſon for it.

As for thoſe other Allegations, taken out of ſeveral Sermons, I ſhall direct him to infinite other Sermons, that were and are daily made in the behalf of the Parliament: The *Anſwerers*, and others wreſting of the Scriptures, like a Noſe of wax to ſerve their turns, is a kind of Prophanation.

The *Memorandums* he calls *Monſtrous things*. A bold expreſſion. They contain the very words, ſet down in the *Treaty* of *Anno* 1495. and conſequently the *States* own words, delivered unto the *Engliſh Ambaſſadors*, *May* 2. laſt, which are not monſtrous, but grounded on very weighty Reaſon. For, we do plainly find, that for divers years now all along, the *Engliſh* and *Scots* Malignants, do not only ſeek to imbroil us in war, but labour likewiſe daily here to reduce us again under the ſubjection or Guardianſhip of the young Prince of *Orange*, that needs a Guardian himſelf: So that it ſeems *Lex Julia de ambitu*, lies aſleep. Otherwiſe this State ought to rid themſelves of thoſe ſtrangers, that ſeek to obtrude a new Domination upon us. And the *Engliſh* deſerve our thanks, for having reacht forth their helping hand thus unto us.

In the Rear now our *Anſwerer* falls upon the thirty ſix Articles, and ſays, That the ſame do prejudice or hinder his Kings Right to the Crown of *England*. All the Kings and Potentates, which acknowledge *England* a Republick, do in effect the ſame thing: But indeed neither any of thoſe Kings and Potentates, nor we our ſelves, but the Kings own evill Councellors, or Proceedings, are the cauſe of all this. When the *Anſwerer*, the reſt of his partners, the *Scots* and Covenanters, have hurried their Waggon into precipices of ruine, it is paſt our redreſs. To enter into *alliance* againſt thoſe that go about to ruine our *Commerce*, and bereave us of our *Freedom*, as much as in them lies, is both neceſſary and commendable. If ſome will needs live under a *King*, let them; as for our parts, we are reſolved by Gods help, to maintain our *Freedom*.

A League with *England* will not bring us into a Labyrinth, nor make us ſubjects of Depradation and Slavery; but free and ſecure us from both.

The Reſolutions of *Neutrality*, which he mentioneth, are limited with conditions; in caſe the *Scots*, *Iriſh*, and other Pirats, perform *Neutrality* to us alſo.

All the former alliances are between the Nations; ſo their Lordſhips the States underſtand it; ſo alſo do all the Kings and Potentates underſtand it, that Treat here with the States upon the ancient Treaties, as made in thoſe times under the name of the Duke of *Burgundy*, and *Auſtria*. The *Anſwerer* himſelf implies as much above, where he takes the Treaty with Duke *Philip*, *Anno* 1495. as made with their Lordſhips the *States*; and ſo likewiſe the renued Treaty with *Scotland*, in *Anno* 1594. which Queen *Mary* had made, as Governeſs in the *Netherlands*, and the King of *Scotland* notwithſtanding renued it with their Lordſhips *Non populi propter Regem ſed Rex propter populũ*. Kings & Princes enter into Treaties, as Repreſenters of the people, for the peoples ſake. This Kings forefathers were contented with the Crown of *Scotland*. It grieves the *Scots* to ſee themſelvs involved in war about a quarrel that doth not concern them; but only for the Kings ſake, who by Pr. *Rupert*, and by other Pyratical ſhips and other ways, plaguing and provoking the *Engliſh*, did force them at laſt, to fall with an Army into *Scotland*, for to prevent that Kings falling into *England*. Even ſo did the great *Guſtave* of *Sweden*; He came with an Army into *Pruſſia*, and forced the King of *Poland* his Couſen, to relinquiſh his pretenſions to the Crown of *Sweden*.

To conclude, the *Engliſh* well knowing, that the *Scots* joyned with *Engliſh* Fugitives, and *Malignants*, ſeek nothing but on the one ſide to ingage us againſt the Parliament, or to make us ſtill ſubject to their depradations; and on the other ſide, to bring us again under the ſubjection of the Prince of *Orange*: Therefore they very lovingly came and invited us to mutual union, to prevent both the one and the other.

This, in effect, is the Sum and Truth of the Buſineſs.

AN

AN ADDITIONALL REPLY

TO

All the pretended Arguments, falſe Inſinuations and Slanders, ſet forth in the

Printed Anſwer

OF

MACKDONNELL

the Scotiſh RESIDENT,

To the Propoſitions of the Ambaſſadors of the Common-wealth of *ENGLAND*;

Preſented at the Hague, March 25. 1651.

CHAP. I.

The Neceſſity, Nature, and ſeveral Forms of Ambaſſy ſtated.

IT being impoſſible to preſerve Intercourſe and Amity betwixt Nations, for their mutual weal and ſafety, without the intervention of ſuch a perſon, or perſons, that may repreſent the ſenſe of either, ſo as to beget a right underſtanding betwixt them; And becauſe if the Supremacy be delegated or inveſted in one *ſingle Perſon* (whether a *King*, *Duke*, or *Emperour*) it were for many reaſons moſt inconvenient that he ſhould quit his Charge at home to treat perſonally abroad in *forain Parts*; Or if the Supremacy be intruſted in the hands of *divers Perſons*, it were abſurd to imagine they ſhould all undertake a Voiage upon the like occaſion; Therefore it muſt needs be obvious to every mans reaſon, how great a neceſſity lies upon the Nations of the world, to make choice of ſome intermedial Perſon or Perſons, to be Commiſſionated with full Power, and ſent abroad with ſuch Inſtructions,

as may inable them, on the behalf of their respective Countries, to confer and debate with forain States and Princes, of such matters as tend to mutual Commerce and Communication. *Without such a course as this*, saith *Petrus Ærodius* (an old Author) *no League can be made, nor any thing determined touching Peace or War; Enmities would prove immortal; Murthers, Violence, and Treachery, would perpetually alarm the world with new Combustions.* Hence it is, that in regard of the necessary use of such Ministers, and in regard they represent the Majesty of the State that sends them, a kind of *sanctity* hath been annexed to their Persons; they have in all Ages and Nations been had in special Veneration, indulged with large Priviledges and Immunities, even among the *Heathen*, and secured from the reach of *violation*, by as high a reverence as they paid to their very Gods and Temples, as may be seen in an Epistle of King *Philip* the *Macedonian*, to the people of *Athens*. *A Legat* or *Ambassador* is

Sanctum populis per sola Nomina.

As for the several Forms of *Ambassy*, or *Ambassadors*, though they pass by divers names, yet they are specifically one, and the same *Office* or *Function*, having all the same reason, aim, or end; which is, to transact affairs abroad, for the good of the Common-wealth, according to the directions of those that send them. In ancient time, a *Legat* or *Ambassador*, many times passed under the name of an *Orator*; according to that of *Virgil*, 11. *Æneid.*

Jamque Oratores aderant ex urbe Latinâ.

And he usually retained this name, either from the nature of his imploiment, in case he were sent to desire or deprecate any matter, or else from his *Eloquence*, which is the prime requisit and glory of an *Ambassador*. The other usual name of old, was that which the *Pope* still retains, *viz.* the *Nuntio*, which in *English* is a *Messenger*, according to that of *Livy*, *lib.* 34. *Rhodios Nuntios in Orbe terrarum arbitria belli pacisque agere*, which was spoken in contempt of the *Rhodians*, or rather indignation, that so inconsiderable a people should be so busie and medling; for, those usually they

they called *Messengers*, that were sent from such as either were not acknowledged Supream in power, or were but an inferiour Nation, or who came with small pomp about matters of the lesser concernment, or for the delivery of some dispatches about which they made no long stay.

But those old titles being antiquated, we have now a succession of new ones, which are thus divided, according to the present custom of Nations, *viz.* the *Agent*, or *Ambassador* in ordinary, and the *Ambassador* extraordinary: both which are one and the same in effect, differing only in pomp and splendor, but equal in priviledge. The Agent or Ambassador in ordinary, is usually a person eminent for prudence; one that undertakes and performs the Ambassy with less outward ostentation; who if he be Commissionated to reside with any *Prince* or *Republick*, is then called a *Resident*. But this *Resident* being for the most part as a *Spy*, to pry into the Affairs of those to whom he is sent, it were far better if that custom of *Residence* were rather exploded, then continued any longer, it tending more to the prejudice, then the benefit of Nations. But of all others, the *Resident* ought to be avoided, and not admitted in new and unsetled States and Commonwealth, if they mean to be safe, or preserve their reputation. For this cause it was, and in this case, that of old, Ambassadors had a retinue assigned them by the State where they resided, under pretence of honour and respect to their Ambassy, but really to keep an eye over them; and so strictly, that they could not so much as drink, or do any other necessary, but with the privity of these Attendants. *Procop. l. 1. de Bello Gothi.* It was the same reason also, wherefore our *Henry 7.* cared so little for their company here in *England*, at the beginning of his unsetled Government. And questionless, it was in him a most notable point of Prudence; in all parallel cases most worthy of imitation. Now he whom we call the extraordinary Ambassador, is (for the most part) a Person of some higher rank and interest in the Commonweals, and therefore a far greater stipend and retinue is assigned him, to uphold a Majestick Port, answerable to his own Quality, and for the honour of his Nation. The for-

mer (according to the common acception) are ſtyled *ordinary Ambaſſadors, Agents*, and *Reſidents*; the later *Extraordinary*, ſent uſually upon eminent and extraordinary occaſions. Thus you ſee all the difference betwixt them is onely extrinſecal and formal, in reſpect of *Ceremony*; but *de Jure*, according to the nature and end of the thing, they have the ſame intrinſecal value, and an equal right to the ſame immunities and priviledges. An example of the former wee have in the late Agencies of thoſe two Learned, but unfortunate Gentlemen, Doctor *Doriſla*, and Maſter *Anthony Aſhcam*, the one moſt barbarouſly aſſaſſinated in *Holland*, the other in *Spain*. And of the later, in the late ſolemn Ambaſſy into *Holland*, performed by two Honourable perſons, the one being Lord Chief Juſtice of the Common Pleas, but both of the *Parliamentary* or *Senatorian* Order. Now if you would know the reaſon why we have thus briefly diſcuſſed the Point of Ambaſſy under the ſeveral *Forms*, it is partly for Methods ſake, as an Introduction to the other Chapters which follow; but eſpecially to let both the *Dutch* and *Spaniard* underſtand, that the *Engliſh* have as much reaſon to expect juſtice and ſatisfaction for the butcheries of their two Agents, as if they had appeared in as glorious and ſolemn an Equipage, as the greateſt Ambaſſadors in the world. And truly, their expectations might be the more heightned in this particular to hear from the *Spaniard*, in regard the matter hath been ſo plainly laid open by a Doctor of their own, of no mean rank and abilities, by name *Don Auguſtin de Hierro*, Knight of the Order of *Calatrava*, and *Fiſcal* (or Attorney General) of the Councel Royal, in a *Charge* by him exhibited againſt the Murtherers of Maſter *Aſhcam*; in which Charge, he thus determins it: *That whether the perſon ſent lately by the Parliament of* England, *was an* Ambaſſador, *an* Agent, *or* Reſident, *as the Murtherers term him, or moſt properly an* Orator, (*for, he came* (ſaith he) *to deprecate Peace.*) *Or, Whether he were all theſe, or any of theſe, it matters not; for any of theſe may ſtyle him a* Legat, *& make him deſerv that title; and the ſame ſecurity is due unto all thoſe titles,*

* Maſter *Aſhcam* was verus Legatus.

the

the same *Priviledge*, the same *Immunity*. And therefore, since the same Doctor hath also very clearly proved, that the *Church* cannot give *sanctuary* to the Murtherers of the meanest of *Publick Ministers*, (who are all equall in point of indemnity) the more highly it reflects upon *Spain*, that the *Rights of Ambassadors* should receive so high a violation, and yet that there should have been so long a delay of justice (upon an unjustifiable pretence) against Master *Ascham's* Murtherers.

Chap. II.

That All Supream Powers in possession (Jure vel Injuriâ) *have a Right to send* Agents *or* Ambassadors, *to negotiate with Forain States and Princes.*

BEcause, upon perusal of the Printed *Answerer*, set forth by that *Scot*, who entitles himself the Lord *Mac Donnel*, and Resident of the King of Great *Britain*; it appears he will not vouchsafe our late Ambassadors at the *Hague*, to wear the style of *English Ambassadors*, but in his Title page disdainfully calls them the *English* Ambassadors [*as they style themselves.*] And in the beginning of his pretended Answer, nick-names them *Ab-Legats* in the *Diminutive*, and calls them *pretended Ambassadors*, as if they merited not the title of true Legats or Ambassadors; it cannot be amiss therfore, to shew this *Scot*, and all the world, upon what frail terms, both his Lordship and the Residentship must needs stand, having so aiery a foundation to support them, as his Master's Kingship of Great *Britain*; for we suppose it will be a hard matter for him to prove his Residentship, till his young *Master* can make good the Kingship; it being a Maxim received by all *Civilians* and *Statesmen*, that the Right of Ambassy in all Countries, as do all the other Rights

of

of *Supremacy*, ever follow ſuch as are in poſſeſſion. *Hugo Grotius* (*lib.2. de Jur. bel. cap.*18.) is very poſitive to this purpoſe, where he tells you, *Reges qui bello ſolenni victi, regnóque exuti ſunt, eum aliis Regni bonis & jus Legandi perdiderunt*, that is, *Kings who ſubmit their Fortunes to the triall of a ſet-war, and then are driven out of the kingdome by force of arms, as they forfeit all other right of ſoveraignty, ſo alſo they loſe the very right of* Ambaſſy. The reaſon to me is evident, becauſe the chief end of Ambaſſies (for the moſt part) is to make Contracts; and it is abſurd to imagin, that one man will contract with another, when it is not in the power of that other to make good the Contract, becauſe there is a third Power in poſſeſsion, which will hinder him from the performance. Now, all States and Princes meaſure the points of Ambaſſy and Negotiation by convenience and *Reaſon of State*. They conſider not what right or wrong is done to a *Brother-Prince*, in his title, in the great Revolutions of Government, but how to frame themſelves after the motion of the *Great Wheel*, as may tend moſt to the ſecurity of their own titles, and advantage of their own eſtates: For, if inſtead of receiving Ambaſsies and Addreſſes from Forain Powers, they ſhould firſt require ſatisfaction touching the rights of thoſe which ſend, then the whole time of Princes would be ſpent in admitting mutual appeals to and from one another, to no purpoſe; ſince if that were admitted, there would be no end of diſpute in the world touching titles; which were they all ravelled to their Originals, would puzzle the ableſt head-pieces under Heaven to prove their equity and innocence in the Cradle. Very ſuitable hereunto is that paſſage of Cardinal *D'Oſſat* in one of his Epiſtles, who tells you, *That Princes, when Ambaſſadors are addreſt to them, never inform themſelves of the rights and titles of thoſe Princes from whom they are ſent; But whether they have poſſeſſion of the Forces and Power of thoſe places from whence the Ambaſſadors are imployed. For, it would be an endleſſe task, and require an infallible true Hiſtory of the world (which is not to be made by man) if all the Ambaſſadors, before their Receptions, ſhould be obliged firſt*

to prove clearly to the world, the just right by which their masters derive those Titles and Jurisdictions, which they assume to themselves.

Thus far it seems by *reason of State*, that the *right of Ambassy* unquestionably follows such only as are in possession; let us confirm it farther (as briefly as may be) by testimonies of *Writers*, with the practises of States and Princes, both ancient & modern, who never used to inquire who they were that sent, but whether the senders of an Ambassage were invested with a Power to command the places from whence they sent: In this case, they always treat with the Power, but never dispute it, well knowing few of their own Dominions have had an unquestionable beginning, *Respectu primæ Causæ omnia Imperia legitima esse concedo, sed si quæras de causis intermediis, &c.* All Governments (saith *Bodin*, *l.* 1. *c.* 6.) are lawful in respect of the *first cause*, viz. *God*; but if we regard secondary causes, most Governments have had their foundation upon Force and Violence: which must needs be granted, considering how from time to time the *Sword* hath given Law to all the world. Whereupon, the *Civilians*, weighing that the course of Government hath run altogether in this Channel, have proportioned their Maxims more suitable to the necessities and publick conveniencies of mankind, then satisfactory to the reasons of private and particular men; because, will they, will they, such must be concluded within the rules of submission, to what form of Government soever shall be erected by those that cary the *Sword*. For, in this case, if a Parliament, or Senate, that hath the *Sword*, shall resolve one way, and those that are *un-armed*, resolve another, then there can be no Government at all, but all will be left at random, to a continued succession of discontents, contests, and confusions, which must needs end in the ruine of the *unarmed party*. Wherefore, it is a *Rule* with them, *That the ancient Majesty of a Kingdom or Commonweal, continues no longer, if it be changed either by a greater Power, or by consent of the People*: where you see, *Force* and *Power* are put in equall ballance with *popular consent*, in relation to Government. And as if it were the best pedigree of *Supremacy*, they

they define the Supream Authority to be that which *holds claim from God and the Sword; and therefore is as it were the Author of its own Original, without dependance on any other; so that* (say they) *every Commonwealth, be it never so small, which acknowledges no Superiour, but God and the Sword, hath a right of Majesty, or Political Supremacy.* So saith *Besoldus, de Juribus Majest. cap.* 1. *Arnisæus, de Majest. cap.* 1. and *Cammanus de Majest. Disput.* 1. *Thes.* 70. 75. *&c.* with many others.

Seeing therefore, that an uncontrolable Power of the *Sword*, in plenary possession of any Nation, instates him or them whos *Sword* it is, wth all the rights of Majesty, much more then may they be claimed by the Parliament of *England*, to whom God hath given a commanding Sword, which they lawfully hold in the behalf, and by consent of the people. And therefore questionless, no State, or Prince, where he seeth such an established Power, can in reason question those rights, or pretend ground not to own the Power, as in all other rights, so more especially in the *right of Ambassy*, which is one of the fairest Flowers in the Garland of *Majesty*. For, (as it hath been observed by the *Oracle* of our Laws, 4. *Instit. c.* 26.) they, and none but they, who enjoy the rights of Majesty, or Supremacy, have a right of Ambassy. *It must be from a Soveraign, to a Soveraign Power and Authority.*

Thus far now, our *Assertion stands unquestionable*; therefore, for illustration, it must needs be much more clear, if we consider, that the benefit *of Ambassy* hath been often allowed, even to such as were not solely Supream, nor in the plenary possession of any Nation. Thus in a Nation divided by Civil War, where the *Supream Power* is in Controversie, both the Parties are allowed an equal right of Ambassy, by *Hugo Grotius, l.* 2 *c.* 18. Thus in a popular division at *Syracusa*, the one Party within the City sent an Ambassage to the other Party without, under the command of *Andronodorus*. The like was done by *Caius Manlius*, one of *Catiline's* Fellows, to *Q. Martius*; and by *Brutus* and *Cassius* to *Lepidus* and *Antony*, *Livius, l.* 14. *Salust. Catil.* who give them that were sent the name of *Legati*, which were the same that

we

we now call *Agents* and *Ambaſſadors*. Alſo, according to this Rule, during the late Conteſt here betwixt King and Parliament, it was, that the *Hollander* made no ſcruple to entertain *Agents* equally from both the Parties. Nor hath this Priviledge been allowed thoſe only, who in National fidings, have had ſome tolerable pretence to a formal Authority; but hath been indulged alſo to meer *Out-Laws*, ſuch as the *Montaneers* in the *Alps*, the *Aſſaſſins* of old, the *Pickerons* in *France*, the *Banditi* in *Italy*, the *Tories* in *Ireland*, and the *Moſſe-Troopers* in the Marches between *England* and *Scotland*. Q. *Curtius*, *lib.* 7. tels us of twenty thouſand ſuch Fellows, that were got into a Body to make Head againſt *Alexander* the Great, and it came to a Fight, in which *Alexander* himſelf being wounded in the *Forlorn*, it came to a Parley. *Itaque poſtero die miſerunt Legatos ad Regem.* Whereupon, the next day they ſent Ambaſſadors to the King, who received them with all Ceremony, and cauſed them to ſit in his preſence. This were the more to be admired, but that we find *Ceſar* himſelf, *lib.* 3. *bell. civ.* giving the like honour to thoſe *Fugitives*, that lurked in the Straits and Paſſes of the *Pyrenean* Mountains, and affirming it lawful. Yet queſtionleſs, theſe inſtances are not to bee drawn into cuſtom, but may be imitated and approved, only upon the like occaſional accidents, and emergents of neceſſity.

How ever, in regard ſome have openly in Print indeavoured to abridge us in *England* of our right and intereſt in this particular, it is requiſit we ſhould draw the Lines of *Ambaſſy*, in its utmoſt Extent and Latitude, that our Inferences and Inductions may ariſe the more eaſie: For, if they who upon the occaſion of a *National Rupture*, can (at the moſt) lay claim to no more but the name of a *Party*, have been, and are admitted into a participation of this right by States and Princes: and if ſo bee, that an irregular number of *Out-Laws*, and *Renegado's*, formed into a formidable Body, have been received likewiſe into the ſame Priviledge by the greateſt Monarchs, then *à minori ad majus*, the Argument muſt needs hold good as to thoſe in *England*, who are actually,

and justly invested with the Supream Power, and setled in the Noblest form. If scattered Recollections of Fugitives, Male-Contents, and frighted Remnants, have assumed this honour to themselves much more may this Noble Nation of *England*, who though she grew old, crooked, and deformed, under the pressures and oppressions of successive Tyrants, yet having shaken them off, baffled them beyond recovery, and setled her self in the condition of a Soveraign *Free State*, seems now to renue her Age again like the *Eagle*, under the sweet Influences of *Liberty*. She is now her self, in full possession of her own; therefore let the world know in this case she understands, that *Possession is more then eleven points of the Law*. For, why was it, that the late King of *England* (as one observes) having sworn a League with the King of *Spain*, expresly also as he was King of *Portugal*, did notwithstanding receive divers Ambassadors from the new King of *Portugal*, yet was not judged, either in *England* or *Spain*, to have broken his former Oath and League? Why was it (I say) but only to shew that Contracts and Oaths made betwixt *Political* persons, are made in a *Political* sense, *viz.* with a *tacit condition* of holding their Possessions? These being gon, their Publick Relations and Concernments immediatly expire. How came it to passe, that the *Spaniard* being driven out of the *United Provinces*, and they by him declared Rebels, that yet they assuming to themselves a *right of Ambassy*, had their Ambassadors so readily received by *Henry* of *France*, and *Elizabeth* of *England*, but that both those Princes well understood the lawfulness of the action, and that they had *Jure Gentium*, a right so to send, the *Spaniard* being dispossessed there? It was the same reason too, that moved the *Hollander* to entertain Agents and Ambassadors from this State; before the death of the *Tyrant*, for that part which we then possessed; and since his death, for the whole now in possession; in this acknowledging *possession* a sufficient ground for us to send, as for themselves to receive our *Ambassadors*. The acknowledgements given us likewise by the *Ambassadors* and *Agents* of *Spain*, *Portugal*, *Venice*, *Florence*, and *Genoa*, do declare the same.

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How then comes it to passe, that the name of a King of *Great Britain*, hath been so rife among the *Provinces*, when they know the young *Scot*, is so farre from having a Foot in the Noblest part of *Britain*, *England*, that he is in a manner outed too in *Scotland*? What face too, (but that a *Scot* can face any thing) had this *Scot*, to deny our Embassadours the name of *English Embassadours*, and dubbe himself with a Title including a Right to *England*, where, his *Master* is never like to take the Ait again, if (he have his due) unlesse it be upon a *Scaffold*? But well may hee own the Title, when some of the *Dutch* have been so forward to give it; yea, and under that name, doe more then give him Audience in their great *Assembly*.

Though they have many Bodies of *Supremacy* in the *Netherlands*, yet we can acknowledge but *one Supream* in *England*, which is the *Parliament*; who being seated with full Power in the Peoples Right, can admit of no Competitor, nor permit any other Nation to impose one upon them, or dispute their Title; but have reason to expect the same acknowledgements, that ever have been given to all Supream Powers in possession, according to the *Custom of Nations*; which if any Nation shall deny, or take occasion to prevaricate in this point, they may in time understand, that *England*, established in this new Form, stands fully possest, not only by *Right of Warre*, but also according to the Right of Nature, and the ancient Laws and Customes of the Nation, being eminently adorned with all the Rights and Priviledges of the People; And that she may now have as great abilities as ever, to assert her own Independency upon other Powers, and make her self as considerable, either in enmity, or friendship, as the proudest of her enemies.

Chap. III.

That Contracts and Alliances made betwixt States *and* Princes, *doe not relate ſingly and perſonally to themſelves; but are made* Jure Populi, *in the behalf, and for the benefit of the People.*

WHereas it hath been alledged by the *Reſident* of the King of *Scots*, that the ancient and ſucceſſive Contracts and Friendſhips betwixt *England* and the *United Provinces*, were made between them and the ſucceſſive Kings of *England*, and not with *England* otherwiſe conſidered; whereby he ſeems to affirm, that the validity of ſuch *Contracts* depends upon, and expires with the perſons of the Kings of *England*, or with the *Kingly Government*, excluding the intereſt of the People from being Principal in them; therfore it cannot be inexpedient in that point, to manifeſt the ignorance of this *Scot*, with the abſurdity of his *Pretence*, which ſo highly reflects upon the Majeſty and main Concernments of the People.

For, without queſtion, it is to be underſtood, that as all the acts of Government ought to tend; ſo *Governours* themſelves, (by what names or titles ſoever they be called) are erected and intended only for the behalf and benefit of the people. Even *Kings* themſelves (notwithſtanding all their flouriſhes) can arrogate nothing to their Perſons or Families, ſeparate from the Peoples Intereſt: For, a *King* is no more but a Creature of the People, by them created for their good; He is their ſervant, for which they give him a Salary, or Revenue, adorning him with ſplendid Titles of Majeſty, and with all the Immunities, Priviledges, and Prerogatives of Government, which are no way inherent in his own Perſon or Family, but Ornaments beſtowed upon him, as the Peoples *Livery*, in reward of his ſervice.

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The truth of this very evidently appears in the *Coronation-ſolemnities* of Kings, which all the world over are the ſame in ſubſtance; and here in *England* the cuſtome was thus. Firſt, the agreement was made between the people and him that was to be entertained as their King: he was made acquainted with the work and ſervice of the Commonwealth, which was to regulate himſelfe and his Charge according to ſuch Lawes, (that is, ſuch Rules and Direction) as were or ſhould be appointed by the people; and for the true performance of this an *Oath* was given him. Then the peoples conſent being asked, and had (which in old time here was wont to be demanded thrice) he was immediatly taken into the ſervice, and his *Livery* given him, *viz.* The *Royall Robes*, the *Sword*, the *Ring*, the *Scepter*, and the *Crown*. This hath been the manner of admiſſion in *England*, moſt ſolemnly performed in receiving all the *Kings* and *Queens* from the days of *Edward* the Confeſſor, and long before: So that you ſee the relation wherein a *King* ſtands to the *Commonwealth*, or *Kingdom*, is the ſame with that of a *Servant* to his *Maſter*; onely here is the difference betwixt *Kings* and *privat Servants*, That thoſe *Publick honorary Servants* having great honour conferd upon them by the ſervice, are neceſſitated to maintain a large retinue, and hold many in penſion and imployment, for which purpoſe they are allowed an extraordinary proportion of wages for their pains and expence in the performance of their duty, with a ſurpluſage of Subſidies or Supplies (many times) upon emergent occaſions of neceſſity.

This will further appeare if we conſider, that Kings *hold* not the poſſeſſion of a *Kingdom* by the ſame right as *privat men* doe their *patrimonies*. But yet it is not meant, as if Kings might not have poſſeſſions as other men have; for that is allowable, and hath been known here in *England*, as may be ſeen in the time of *Henry* the fourth, who from the Title of Duke of *Lancaſter*, arriving to that of a *King*, enjoyed ſtill an inheritance in his own right, as Duke of *Lancaſter*, diſtinct from that of the *Crown*; and fearing the return of *Lex talionis* upon himſelf and Family, that as he had diſpoſſeſſed others of the Kingdom, ſo his heirs might in time be diſpoſſeſſed

again,

again, therefore out of a prudent forecaſt he ſo ordered the matter, as to keep the Revenues of his *Dutchie* entire, and ſetled them in ſuch a way, as might preſerve them diſtinct from thoſe of the *Crown*, that in caſe any *new Turn* ſhould happen, his poſterity might (if they loſt the *Kingſhip*) know where to lay claim unto their *ancient Patrimony*. So then, we doe not deny but *Kings* may have poſſeſſions of their own, as well as other men, by inheritance or purchaſe; but thoſe which they hold in the right of the Kingdom, or Kingſhip, are none of their own: The Patrimony of the *Publick Exchequer* is one thing, that of the *Prince* another. *Henry* the fourth held the Dutchy of *Lancaſter*, as he was *Henry*, but the revenues of the Crown as he was the King, or publick ſervant of the Kingdom, not out of any peculiar propriety that he had in them. Nor can it in reaſon be imagined, that Kings ſhould have any thing of *Propriety* in what concerns the Kingdom, ſeeing in the firſt place the Regall dignity is no more but a *Function*, or *Office*, and he himſelf is but *ſupremus officiarius*, the higheſt Officer of the Kingdom, and you know, an Officer hath no right to what he is intruſted with for the benefit of another. Beſides, we know, that if any man be inveſted with a *Propriety*, he hath a power to alienate or ſel away his right; but Kings have no ſuch power as to alienate any part of the *publick Revenue*. Kings that have endevoured it in *England*, have been reſtrained; and not onely in that, but even in their immoderate expences, by Parliament. Nor is it ſo onely in *England*, but many laws have been made and renewed againſt it in *Poland*, *Hungary*, *Scotland*, *France*, *Spain*, and the *Empire*; for we read what *Wenceſlaus* the Emperour, *Malcolm* of *Scotland*, and *Henry* the ſixth of *France*, ſuffered by attempting it, and what miſeries they brought thereby upon themſelves and the people. Innumerable teſtimonies might be produced againſt this power of *Alienation* in Kings, but that of *Gratius*, *lib. 2. de Jur. bel. c. 6.* may the better paſs inſtead of all the reſt, in regard he is in moſt other particulars a little too rank of the *Royaliſt*. *Patrimonium populi, cujus fructus deſtinati ſunt, ad ſuſtentanda reipub. aut regia dignitatis onera, à regibus alienari, nec in totum, nec in partem poteſt.* The Patri-

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mony of the people (ſaith he) *whoſe revenues are appointed to eaſe the burthens of the Commonwealth, and ſupport the Regall dignity, cannot be alienated by Kings, either whole, or in part. Nam & in hoc jus majus fructuario non habent. For in this,* (*viz.* the peoples publick Patrimony) *they have no more then the right of an Uſu-fructuary*, who indeed receives the rents and profits, but hath no propriety in the lands.

Seeing now it appears that a King is no more but κτίσις ἀνθρωπίνη, the *Ordinance of man*, (a creature of mans making, as is to be inferred from the words of St. *Peter*;) ſeeing he is but a ſervant to the people, bargains with them to doe their work according to Laws (or Directions) & to that end wears their *Livery*, and receives *wages* from them; ſeeing alſo that the right and propriety of the Kingdom remains in the people, not in him; and that the moſt which can be made of him, is but an *Officer*, or an *Uſu-fructuary*, one that hath no right in what he poſſeſſeth, ſave onely to receive the Profits, or Revenues, in lieu of ſervice to be done for ſome other, *viz.* the *Community*; then it may plainly be inferred, that the ends of *Kingly Government*, and conſequently all the acts of it, doe in no wiſe relate to the Perſon, Kingſhip, or Family of any King, but are terminated *jure populi*, in the right or behalf, and for the benefit of the people.

Thus far our *Aſſertion* ſtands undeniable; and therfore for application of it to the preſent matter in queſtion between us the *Scottiſh Reſident*, let us conſider, that if Kings are not for themſelves, but for the people; if they be Kings *publico jure*, in the peoples right, not in any particular perſonall qualification of their own, then it merrily follows, That as the *Office*, ſo all the *Acts* of Government, and conſequently the making Peace or Warre, the allaying of enmities, the making Contracts and Alliances with forein States and Princes, are founded and concluded in the *right of the people*. It is they which treat, contract, & confederate, only they agree that he ſhal tranſact and ſign it: The power is originally, really, and *fundamentally* in themſelves; it is but *Miniſterially* in the *King*, as a *Publick ſervant*; it is for the publick benefit, not his own privat, that he is intruſted to make a *Contract*; ſo that

whether

whether you conſider the publick relation he ſtands in, without which he can be no king, nor contract, nor do any other act of Government. Or whether you conſider the publick end and ſcope of the *Contract*, it muſt needs follow, that his own particular, or the intereſt of his *Family*, cannot be ſeparatly or ſingly concerned in the buſineſs, though it run in his name, ſeeing all is done by the right, and for the good of the *Community*.

But our *Scotch Reſident* alledges out of *Grotius*, l. 2. c. 16. *That a league made with a King holds firm to him, though he be driven by his ſubjects out of the Kingdom: For the right of the Kingdom remains with him, though he have loſt the poſſeſſion*, according to that of *Lucan*

——— *Non unquam perdidit ordo*
Mutato ſua jura loco. ———

To this I anſwer in the *firſt* place; that if you conſider what is ſaid before, it muſt be granted that the right and propriety of a Kingdom remains in the people alwayes, be the King in or out of poſſeſſion. *Secondly*, it is much to be wondred that *Grotius* ſhould ſo farre forget himſelfe, as in this place to ſet down a poſition quite contrary to what he affirms in another, viz c. 18. in that inſtance before cited, where he ſaith, *That Kings, who ſubmit their fortunes to the tryall of a ſet-warre, and then are driven out by force of Armes, doe not onely loſe the right of Ambaſſy, but all other rights of Soveraignty.* And if ſo, then without queſtion alſo a King loſeth all claim or pretence to any *Forein Contracts* or *Alliances* made with him, in the behalf of the Kingdom while he ſtood poſſeſſed: For by the ſame reaſon that he loſeth or forfeits one right, he loſeth all.

Beſides, in another place (*viz lib.* 1. *cap.* 18.) he enumerates no leſſe then ſeven or eight caſes, wherein a King may forfeit, and be juſtly driven out of his Kingly intereſt and Kingdom; As in caſe a King aſſume more to himſelfe then of right belongs to him: Or in caſe he infringe thoſe lawes that he was ſworn to: Or incroach upon the Senaticall part and right of the people: Or if he relinquiſh the Helm of government: Or give over the protection of the people: Or

make

make warre against them: Or behave himselfe as a Tyrant or publick enemy of the Nation. In all these *Cases*, *Grotius* grants, that a King may justly be deprived; and not any of these, but might be verified upon the late King of *England*, and his Son the *Young Pretender*; who not onely lost all Right, as being the Son of such a *Father*; but by tracing him actually in the same steps of enmity, hath made the forfeiture compleat, both for himself and the whole family: whereby, as he loses all other interests, so without question, his interest in all those forein leagues and contracts, that were made with his *Father* while he was in possession.

But to return where we left; the rights and acts of Government (as we have proved) being properly the interest and acts of the *Community* or *People*, and relate no farther to the *King*, than as a *delegated Person*, a *Deputy* or *Trustee*, to treat and transact in their behalf; then, without question, when this Officer the *King*, shall either for male-administration, or treachery in his trust, be put to death, or banished, with his whole family, the Treaties, Contracts, and Alliances, made in his name with any *Forain State*, must needs continue in full force and power, to all intents and purposes, as long as the People and Community are in being, whose Contracts they are. To this accords that of *Grotius* likewise, l. 2. c. 15. *Si cum Rege contractum sit, non statim personale erit censendum fœdus*, i.e. If a League be made with a King, it must not be presently looked upon as a *personal League*. For, as he saith in the same place, after *Pedius* and *Ulpian*, *plerumque persona pacto inseritur, non ut personale pactum fiat, sed ut demonstretur cum quo pactum est.* The person of the Prince is usually mentioned in the Leagues not that the League should become personal, but only to shew with whom it was made. But it may be objected, that the League with *Holland*, extends not only to the King, but to his Successors also. 'Tis true, it doth hold, as to the succession; that is, as long as the succession holds; for, *Leagues* must hold to the persons of Princes and their Successors, as all other *Political Compacts* between them do, *viz.* with a tacit condition of *holding their possessions*. If the King of *Scots* can with the peoples consent, make good his succession in *England*, then he may lay

claim to the Treaties made betwixt *England* and *Holland*; but in the mean time, Hee and his Family being driven out for their Tyranny, all the Right to those Contracts is to be exercised by another Succession and Form of Government, that is established in the Right, and by Authority of the people.

Nor can this *Alteration of Government* any whit alter the Case, it being a right naturally inherent in all Nations, to alter their respective Governments (upon occasion) into what form they please: As long as the people remain the same *specifical* (I do not mean the same *individual*) people of *England*, that they were when the right of Treaty was used, and the Treaty with *Holland* made and ratified by the King in their behalf, so long the effects of the *Treaty* or *Treaties* are in force, to the same ends and purposes that they were at first intended: *Seneca* saith, by way of comparison, *Manet idem flumen, aqua transmissa est*, the River remains the same, though the water pass away; and *Aristotle* 3. *lib. Pol c.* 2. traceth him in the same quaint way of allusion, likening the People to a River which retains its old name, and is said to be the same that it was long since, though a continued succession of new waters doe flow in the Channel; so the People that is now, is the same *in specie*, that it was an hundred or perhaps a thousand years since, and is so called and reputed; except it lose the name and estimate of a Nation, by being captivated and caried away from their Countrey, as the *Jews* were all in time from *Jerusalem*, and the *Holy Land*; or inslaved in their own Countrey by some Forain Power, that holds them in Vassalage, as the *Olynthians* were under *Philip*, the *Thebans* under his son *Alexander*, the *Capuans* under the *Romans*; or as the old *Britains* were under the *Saxons*, the *Saxons* under the *Danes*, and afterwards under the Tyranny of the *Norman* Conquerour: When their National Power and Authority is once extinct, they no longer retain their former intereſt, priviledge, or dignity. But none of these exceptions (blessed be God) can be verified upon the people of *England*, who are seated *pleno jure*, in their own fortunate Island, and established now in a greater measure of Honour, Power, and Freedom, then ever we

enjoyed

enjoyed for many hundred years before;

Fatices nimium, bona si sua norint.

And therefore, of necessity, they must be accounted *specifically* the same Nation or people, that they were, when the Treaties were made and concluded betwixt *England* and the *Netherlands*, though they be not the very same *Individuall* People and Government. *No matter* (saith *Grotius*, l. 2. c. 9.) *how the Nation be governed, whether by a King, or by many, or by the multitude: For, the people of* Rome *remained the same still, in the various changes of Government, under Kings, Consuls, and Emperours.* When the former is extinct, a new form ever succeeds, with power to govern, act, and transact, in and for the behalfe of the people; who being still the same, not tied to Forms, nor altered by Time, over-look all *Circumstances*, and lay hold upon the *Substantials* of their Interest and Government, as they stand qualified, and related, both at home and abroad. And truly, it is very pleasant to observe in this particular, how even *Princes* themselves acknowledge as much in their Practises towards each other in the changes of Government: For, the Duke of *Burgoin* having concluded amity with *England* in the person of *Henry* the 6. no sooner was *Henry* dispossessed, and *Edward* the 4. invested, but he immediatly renues the same League with *England* in the person of *Edward*: Afterwards, *Edward* happning to be driven out, it was so brought about by *Burgoin*, that the Truce formerly concluded betwixt him and King *Edward*, should in all things bee ratified and confirmed, the King's name onely changed to *Henry*. At length, *Edward* made shift to recover all again, and then *Henry* was once more dethroned; which was no sooner done, but *Burgoin* sent again a solemn Embassage, to renue the Treaty, and establish a firm League with *England* in the person of *Edward*: It is to be observed likewise that during all these Changes, *Ambassadors* went to and fro, and all Forain Contracts and Alliances were kept entire, without the least question, on either side; which may serve to inform us of these two particulars; That in National quarrels about Title to Government, Princes use not to dispute who is in

the right, or wrong, but apply themſelves (without farther ſcruple) to the parties in poſſeſſion. And *ſecondly*, that however the *Governours* of a Countrey may be changed, yet all the points of *Alliance* and *Contract*, being centred in the right and benefit of the people, continue unchangeable and entire under every alteration. It were endleſs to reckon up all the examples that might be derived from the practiſes of States and Princes to confirm this particular; we might ſhew you how the matter of Government being in diſpute betwixt Queen *Mary* and her ſon *James*, (or rather his Guardians) though *Mary* were dethroned, and her *Sons Guardians* got the better, yet the amity betwixt us and *Scotland* continued firm, notwithſtanding the depoſition of the perſon of *Mary*: But becauſe the *Scottiſh Reſident* ſeems to grant that Leagues may hold entire in State-Ruptures, though a particular Prince be laid aſide, but not ſo, if the frame of Government be altered; therefore he may be pleaſed to conſider, that in the various revolutions of the *Florentin* Government, when the whole frame was changed, yet moſt of their old Alliances and Contracts were renued ſtill, and retained in full force and vigour, as well with the States and Princes of *Italy*, as thoſe of other Nations. And as for the *Hollanders*, though of late they boggled with us in the main, yet they would gladly have renued ſo much of the old Treaties with the people of *England*, as might have ſerved their own turns, & not have ingaged them too far; the reaſon why they kept off, ſeems not to have been from any ſtrength of Argument uſed by this *Statizing Pretender*; but they had a ſtronger Argument of their own, whoſe *Premiſes* and *Concluſion* lay a long time in *Scotland*, from whence every Poſt they expected a reſolution.

I ſhall cloſe all with the teſtimony of that Learned *Spaniſh* Doctor *Don Auguſtin de Hierro*, Atturney General of the Councel Royal in *Spain*, &c. produced by him in his late *Charge* againſt the Murtherers of Maſter *Aſbcam*; where inſiſting upon the point of Friendſhip betwixt *England* and *Spain*, he proceeds thus: "That *England* (ſaith he) ſhould "be our Friend *in ſtatu quo nunc*, and that Peace ſhould bee con-

"continued with her, proceeds from right; For, Peace is "not only made with the *King*, but with the *Kingdom* alſo, "and though the firſt expires, the laſt remains. For, put "caſe, that Peace be concluded with a Country without "including the King, either by careleſneſs, or ſome other "accident, yet the Peace ſtands good; For, ſo the *Poliſh* Ma-"giſtrates anſwered the Emperour *Ferdinand* the ſecond. "*Faltando el Rey, ſe conſervan con el Reyno*, *i. e.* the King "failing, yet Peace is to be conſerved with the kingdom. So "*Bodin* holds, and urgeth a pregnant example to this pur-"poſe, *lib. de repub. cap.* 4. *fol.* 63. where he alledgeth the "Anſwer which the Ambaſſadors of *France*, made to *Edw.* "the 4. King of *England*, deſiring aid from *France* againſt "ſome riſing ſubjects of his, that had driven him out of poſ-"ſeſſion, and this deſire he preſſed by vertue of the League "between them; Which Anſwer was, that the *King of* "France *could not help him, in regard the confederations be-*"*twixt* France *and* England, *were made betwixt the Kings* "*and Kingdoms, ſo that though King* Edward *was diſpoſſeſſed* "*therof, yet the league & amity remained ſtil with the kingd.* "*& with the King Regnant.* Juſt ſo, the Peace 'twixt the Kings "and Kingdoms of *Spain* and *England*, though *Charles* "*Stuart* the King be wanting, *yet it may be kept intire with* "*the Kingdom*: And his Majeſty himſelf inſinuates ſo much "unto us, continuing ſtill his Ambaſſador in *England*; For, "when a Peace is eſtabliſhed 'twixt Kings and Kingdomes, "People, Perſons and Vaſſals, though the King fail, and the "Kingdom receive a differing Form of Government, yet the "Peace holds good ſtill, becauſe it aimed principally at the "people and perſons of both Nations; and upon theſe terms "the Peace was renued 'twixt *Spain* and *England*, in the "year 1630. as the *French Mercury* relates it.

The *Reſults* of all then, out of the foregoing reaſons, teſtimonies, and examples, will be undeniably this; that *Contracts* made betwixt States and Princes, doe not relate ſingly and *perſonally* to themſelves, but are made *Jure Populi*, in the behalf, and for the good of the Community. Though Governors and their Families may fail, yet their Treaties are

as eternal, as the peoples intereſt, which is their *moving cauſe*, and their *ultimate end*.

And therefore, as to our particular, it muſt undeniably follow, that thoſe former Treaties made betwixt our *Kings* and the *United Provinces*, belong to us now of right, if we pleaſe to claim, or renue them, having been ratified at firſt, in reſpect only to the people of *England*. No King can lay any claim of this nature, but as he is an Officer of the people; For, that relation being once extinct, there remains no Foundation for any future pretences.

CHAP. IV.

THE two former *Chapters*, being as the two *Hinges*, whereupon hangs the main of the Controverſie; and having therein vindicated the principal points of the peoples intereſt in *England*, our deſign in the next place is, briefly to refute all the petty falſhoods and inſinuations, which lie ſcattered here and there, in the pretended Anſwer of our *Scottiſh Pretender*.

That which occurs in the firſt place, is this; where hee tells the States of the *United Provinces*, that *the Predeceſſors of the preſent Governours in* England, *were very inconſiderable in thoſe days when the Treaties were made; and that they had neither part nor participation, in any of the favours and friendſhips afforded to the* Netherlands: This he ſaith, *by all circumſtances may ſtrongly be preſumed*. A very ſtrong preſumption indeed, it muſt needs be, till he can name thoſe *Circumſtances*. The Parliaments of *England*, which were the Predeceſſours of our preſent *Governours*, were not ſo conſiderable indeed, as now they are, and will be, we ſhall eaſily grant; becauſe their glory and freedom was eclypſed by thoſe unbounded Prerogatives, which *Kings* and their Houſe of *Peers*, did uſurp unto themſelves, over the *Commons*, who naturally, really, and pro-

properly, were to be eſteemed *the Parliament*; becauſe they only ſate, and repreſented the people in their rights; whereas the *Lords* ſate only in their own rights, or rather by vertue of that pretended *right*, which Kings (forgetting whoſe ſervants they are, and for what end they were made) had arrogated unto themſelves, in and over the people: This was the reaſon, why the Commons of *England* became more inconſiderable then by right they ought to have been. Yet take them in their moſt inconſiderable ſtate, or in the loweſt ebb of their Fortunes, and we never ſee them ſo low, but we find them admitted as partners in enacting of Laws, and reputed as principal in granting *Subſidies*, and other Supplies, for the neceſſities and ſupport of the *Crown*, inſomuch that no *Aid-monies* could be required of the people, but by the *Commons* conſent. In Queen *Elizabeth*'s time, they were brought low enough, as appears by her ſtrange proceeding againſt *Wentworth*, that was one of their Members; which (perhaps) had not been ſo tamely taken from a *Prince*, that had leſs influence upon their affections: yet, as low as they were, the ancient Treaties betwixt *Elizabeth* and thoſe *Provinces*, were not made and renued; nor were the favours and ſupplies, both of men and money, afforded unto that State, but in the behalf of the *Community*, out of the Purſes of the *Commons*, in whoſe name and right they were granted: ſo that we leave the world to judge, how nearly thoſe *Treaties* did concern the the *Commons*; and whether they being the undeniable *Predeceſſors* of the preſent Governours in *England*, did not both partake, and participate, yea, and were the *Principall Party* concerned in thoſe tokens of favour and friendſhip, which were then ſent unto the *Low-Country Provinces*?

But to fright them from our friendſhip, he tells them a ſtrange Tale, *How big we are grown with monſtrous myſteries of enlarging our Trade and Power.* 'Tis more then probable, that *England*, in this new form, will improve its ſelf far beyond its wonted wealth and intereſt; foraſmuch as for theſe many hundred years, it hath continued labouring and ſtrug-

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ling under the yoak of a *Tyrant*, ſo that it could not poſſibly arive to ſuch a height and meaſure of happineſſe, as it may now attain in a condition of *Liberty*. But why ſhould *Englands* happineſſe be counted an eye-ſore to the *Netherlands*, as our *Scot* would have it? Surely the world is wide enough for them both; and queſtionleſſe, if *England* ſhall thrive (as the enemies of it feare) in this new form, the *Dutch* will then ſee it much more concerned them (both in honor and intereſt) to have ſettled with us in the relation of a friend, then remain in a ſtate of neutrality. 'Tis but a crude ſuppoſition, that they ſhall loſe any thing by our *Amity*; but very probable they may loſe much without it. Yet in another place he alledges to the *States*, that *their Lordſhips having no enemy at preſent, will by uniting with us, involve themſelves in a labyrinth*. But their *Lordſhips* may be pleaſed rather to conſider, it were a ſtrange *Wild-goose-chace*, to be led about by the way of *Scotland*, to ſettle an intereſt for themſelves in *England*, upon the uncertain favour of a ſubtile *Tyrant* and his followers, who in times paſt at Court here were wont to dart the name of *Rebell* as freely at them, as they doe now againſt us; being men of oppoſite principles to *Freedom*, ſuch as hated the very name of the *United Provinces*; And if the *States* pleaſe to remember the carriage of King *James*, they will find that he himſelf was of the ſame humor and opinion, and the firſt that ſet an edge upon the tongues of the *Courtiers*. In vain therefore doth this *Reſident* tell them, that their *Lordſhips have no Enemy at preſent*: For, however, our *Engliſh Fugitives* and *Deſperado's* (for preſent ends) may ſeem to court them; yet if they had a while ſince regained poſſeſſion in *England*, and ſhould the young *Prince of Orange* have lived to ſee it, it would have appeared to purpoſe, that they are the very worſt of all their enemies. How much more ſecure then had it been for their *Lordſhips* to have embraced the late offer of *England* in its preſent eſtabliſhment, as a ſure friend, then to depend upon the good will of a deceitful *Enemy*. And whereas it is inſinuated, that a *League* with us would draw enmities upon them elſwhere, *they having no enemy at preſent*; it will concern them to remember, what a friend

friend they have of the *French*, who onely gives faire words, but hates them mortally in heart, as appeares by the continuall depredations made upon them at Sea, by thoſe of the *French* Nation. Alſo, it were worthy conſideration, upon what tickliſh termes they ſtand with *Denmark* and *Sweden*; and in manifeſt diſcontent (eſpecially) with *Portugall*. Not any of theſe will, or can, be more a friend or enemy, for the ſake of the King of *Scotland*: they are all ſwayed by their own *intereſt*, and accordingly meaſure both their love and hate, not out of reſpect to any ſingle Perſon or Family: Therefore it wil concern the *States* more rationally to weigh what advantages they might have reap't by an union with *England*; which had it been concluded upon ſuch terms as were offered, would have rendred them ſo conſiderable in the eyes of the world, that not any of all the *Friendly Pretenders* round about, but would have been the more inclined to continue their *Pretences*, and the leſſe apt to break them. Moſt abſurd therefore is that affirmation of the *Scottiſh Reſident*, in ſaying, *The States may promiſe themſelves more profit, repute, and ſecurity in Commerce*, England *abiding a Kingdom, then being transform'd into a Republick*: For, as a *Kingdom*, the actions both of *James* and *Charls* will tell them, Kings were no cordiall friends, nor indeed can they be; whereas being in the form of a *Republick* the *Provinces* (had they embraced our offers) might have been admitted into a neerer union and complication of intereſts, then ever they can hope for from a *Monarchy*.

He tells us farther, there is a wide difference betwixt the *Hollanders* and us, in the *manner of acquiring our Freedom*, The *Hollanders* (ſaith he) *were a free people time out of mind but we in* England *have been under Soveraign Kings for a thouſand years, and were bound to them by oaths*. Beſides, he ſaith, the *K. of Spain after a tedious warre of 80. yeares, hath declared the Provinces free, &c. But the caſe is otherwiſe with us in* England. To this we ſay, If the *Hollanders* have of old been a *free people*, ſo have we been in *England*, and both they and we in the ſame manner. They were of old under *Earls* or *Princes*, but ſuch as were limited by the laws. *Auctoritas Principum erat plurimis pro libertate legibus repetitis*

petitis definita, ſaith the Author *de Statu Belgii* 1650. So were we in *England* under Princes called *Kings*, but ſuch only as were limited by lawes. It was a *Politicall* Kingſhip, not *Deſpotick* or *Tyrannick*, as may be ſeen in all our *Law-books*. Let one or two old inſtances ſerve for all. *Bracton l. 2. c. 16. Fleta l. 1 c. 17.* ſay, that the King of *England hath the Law and the Parliament for his ſuperiors; and therfore if the King have the reins looſe, and be without a Bridle, they ought to bridle him*: For (as *Bracton* ſaith again, *l. 3. c. 9.*) *The King can do nothing but what the Law permits him.* Thus only, and with this *limitation implied*, were we ſworn to our *Kings*, as the *Hollanders* were firſt to their Earls, and afterwards to the King of *Spain*; but finding the *Spaniard* to oppreſſe them contrary to Law and Liberty, therefore they conceived themſelves acquitted of their former *Oaths*. *Et Philippi, ſimul & omnium Principum Imperium ejuravere*, and (as our former *Author* ſaith) bound themſelves by a new Oath to abjure the Government not onely of *Philip*, but of all Princes for ever; which courſe exactly parallels our caſe here in *England*: all the difference now then, is onely in a circumſtance of Time; We have not had 80 years Warre to make good our *Freedom*; but (alas) this alters not the verity of the thing: For, as the Freedom of the *Provinces* (being really free from the very firſt moment wherein they drave out *Philip*) did not depend upon the *Spaniards* acknowledgement; ſo neither doth ours upon the acknowledgement and declaration of *Charls*, or any future Pretender of the *Family*. Yet notwithſtanding this, the *Reſident* ſaith, our caſe, in reference to the recovery of our *Freedom*, is no more like to the *Hollanders*, then *Milk* is like *Ink*. But for illuſtration, take this farther; were they oppreſſed in matter of *Religion*? So were we; tied up to ſtrange forms and innovations. Were they crucified with an *Inquiſition*? So were we with a *High Commiſſion*. Were they ſqueezed with *Impoſitions*? So were we; ſuch as *Ship-money*, *Privy-ſeals*, *Coat and Conduct*, *Monopolies*, and a thouſand other devices. Beſides, the *Prieſts* proclaimed at Court in their *Sermons*, that *All was the Kings, no man had any propriety in what he poſſeſſed*: ſo that the leſſe credit is to be given to the *Declara-*

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tion of thoſe pious *Miniſters* (as they are called) againſt the Parliament, whoſe partiall teſtimony is ſo much applauded by the *Reſident* of *Scotland*. Did *Philip* of *Spain* endeavour (through his Agent *D'Alva*) to ſettle his Tyrannies over the *Provinces* by force of Arms? ſo did the late Tyrant *Charls* in *England*, firſt plot a war, and then ſet up his *Standard*, and put the Parliament upon the *Defenſive*, as appears by the whole *Series* of his Councels and Actions; whereto more credit is to be given, than to his Poſthume Book of *Meditations*, which the *Reſident* hath quoted with more affection than diſcretion.

Laſtly, are our Proceedings in *England* diſtaſted by ſome of our neighbours, through the malice and miſ-repreſentation of our *Engliſh Fugitives*? So were thoſe of the *Hollanders*, through the malicious ſubtilty of the *Spaniſh* Agents and Miniſters, who laboured to incenſe all *Chriſtendom* and draw the world about their ears, till *Forain Princes* came to have a right underſtanding of the buſineſs: So that you ſee Maſter *Reſident* might have ſpared his *Milk* and *Ink* too; for, *nec Ovum ovo ſimilius*, one Egge cannot more exactly reſemble another, than the caſe of *England*, in all particulars, doth that of *Holland*, in the manner of acquiring our *Liberties* and *Freedoms*.

Now he rails at our judging and beheading the late King, and baniſhing his Family, calling it *abominable violence, and ſuch as the like was never heard of ſince the beginning of the world*. Therfore, to rectifie the ignorance and malice of himſelf, and his *deluded party* in this particular, ſome few Inſtances and Examples ſhall be here inſerted, to ſhew, it is no new thing, that Kings have been, and may be deprived or puniſhed with death, for their crimes in Government. We read of *Amon* King of *Judah*, that was ſlain by a part of the people, *becauſe he walked not in the way of the Lord*; and though another part of the people were angry at it, and avenged his death upon thoſe that did it; yet without queſtion, the execution was juſt, according to the Law of God, which was (without reſpect of perſons) that the *Idolator* ſhould die the death; and no doubt, the puniſhment had been inflicted by a Judicial Proceſs, had not ſo great a party

of the people been addicted to his ways, & oppoſed it: which oppoſition of theirs, is uſually the cauſe, in all caſes of this nature, why Kings are not to be attached, as well as other Malefactors, by an ordinary courſe of Juſtice.

Conſider *Ahab* likewiſe, who though he were taken off himſelf by divine Juſtice in the battel at *Ramoth-Gilead*, and ſo eſcaped puniſhment by man for his idolatry and cruelty; yet it was executed afterward to the full by *Jehu*, upon his Queen and the whole Family, who were utterly rooted out, and a bleſſing annexed to him and his heirs that performed the execution. But ſome may ſay, this fact was extraordinary, being done by immediate command from God, and ſo not fit for ordinary imitation. Yet, for Anſwer, it is ſufficient, I ſay, that it had a Legal ground, *viz.* the ground of Gods ordinary judgement, which commanded, that all offendors of the ſame nature, ſhould die the death. Gods extraordinary command, being ſuperadded to his ordinary Law, doth (as to us) rather confirm then weaken the equity and juſtice of ſuch a proceeding. In like manner we read, that the whole people took *Amaziah* King of *Judah*, and ſlew him for his idolatry: whether they did it by a way of Judicial proceſs, or not, is not material, but done it was: and if it were done without proceſs, then much more are they to be juſtified, that have the courage to imitate ſuch noble acts of Juſtice, by a ſolemn and ſerious proceeding. The like had been executed upon *Joas*, the father of *Amaziah*, by a part of the people, for his Murther and Apoſtacy. Profane ſtories, both ancient and modern, are full likewiſe to the purpoſe. *Romulus*, the firſt King of *Rome*, was for his tyranny cut in pieces by the *Senate*; and *Tarquin* (their laſt King) was with his whole family, caſhiered, the form of Government changed, by the ſame power, and upon the ſame occaſion. Many years after, *Nero* the *Roman* Emperour, was ſentenced to death by the *Senate*; which was not *primum damnati Principis exemplum*, as the *Reſident* alledges out of *Suetonius*. The *Senate* being afterward in time cowed down by *Heliogabalus* their Emperour, ſo that they could not take the ordinary courſe with him, uſed means by corrupting the ſoldiery, (upon whoſe ſtrength he depended) to put him to death.

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The two famous changes made in the Royal line of *France*, depend upon two ſuch noble pieces of Juſtice, executed upon their Kings: the firſt upon *Childerick*, the third King of *France*, who being judicially depoſed by the Nobility and Clergy in Parliament, the ſucceſſion was then cut off from the family of *Pharamond*, and confirmed to the race of *Pepin*, till *Charls* of *Lorrain*, the laſt of *Pepin's* race, was in the like manner chaſtiſed by Parliament, and the Crown tranſlated to the ſucceſſors of *Hugh Capet*, who hold the ſame to this day; though two of them likewiſe, *viz. Lewis* the third, and *Charls le Groſs*, have been judicially proceeded againſt in Parliament. And though the people were ſo tender towards them, as not to put them to death; yet they were buried alive, being mued up within the melancholy walls of ſome Monaſtery, or elſe cloſely confined within the Caſtle of *Orleans*.

In *Spain* too we read of *Suintila*, *Don Alonſon*, the eleventh, and *Don Pedro*, judicially proceeded againſt; the firſt by the fourth National Councel of *Toleao*; the ſecond by publick Act of the Eſtates of the Realm in the Town of *Validolid*; the third, by the Eſtates of *Caſtile*, all for their Tyrannical Government.

The like proceeding alſo was had againſt *Don Sancho* the ſecond of *Portugal*: alſo againſt *Henry* of *Poland*, that was King of *France*: *Henry* of *Swethland*: *Chriſtiern* of *Denmark*, and *Wenceſlaus* of *Bohemia*: as alſo *Edward* the ſecond, and *Richard* the ſecond of *England*.

Theſe laſt are mentioned by the *Reſident* himſelf; but that which he mainly inſiſts upon, is, that neither *Chriſtiern*, *Wenceſlaus*, *Edward*, nor *Richard*, were beheaded upon a *Scaffold*, as was the late Tyrant *Charls*.

However, it is ſufficient they were judged more worthy of a *Scaffold*, than the *Throne*: and therefore it muſt needs be more honourable (after the late Heroick Example of *England*) that the Judgements of God ſhould be executed in publick before all the world, than that they ſhould be ſtifled in a Dungeon, or the Majeſty of them be leſſened by paltry private Aſſaſſinations, or poiſonings, acted upon Royall Tyrants and *Offenders*.

Even

Even the practiſe of *Scotland* it ſelf, will furniſh us with Examples enough of this nature; where no leſs than fifty of their Kings have been puniſhed with death; and the greateſt part of them by a *ſolemn Judiciall Proceeding*: as it is ſet forth by *Buchanan*, their own Hiſtorian, who affirms it to be, *More Majorum*, according to the cuſtome of their Anceſtors: So that of all other men in the world, this *Scot Reſident*, hath the leaſt reaſon to wonder at our Capital Proceeding againſt a Tyrant, as a thing never heard of before in the world, ſince it hath been (from all Antiquity) the common practice of his own Country.

Whereas, he farther alledgeth, the *Parliment's manifold reiterated Oaths, and their Covenants, with above an hundred Parlimentary Declarations and Proteſtations, to protect the King's Perſon and Poſterity*, &c. This muſt be underſtood, with that *tacit Suppoſition*, which is naturally included in all thoſe Oaths and Proteſtations, *viz.* That he do not by any enormous crimes and continued Acts of Tyranny, deveſt himſelf of his Kingly capacity. And in the *Covenant* it ſelf, as much as this comes to is implied by undeniable conſequence, the whole ſcope of it being qualified with this ſpecial clauſe [*In the preſervation of Religion and Liberty*] to ſhew, that if the King ſhould proceed ſo far, as to render himſelf an irreconcileable enemy to both, the Covenant did no longer oblige the Covenanters, in any relation to him, or his Poſterity.

But he ſaith, *The Laws of* England *favour Kings above the Laws of all other Nations*; and for this he alledges the paraſiticall maxims uſed by Courtiers, *Rex non moritur*, *Rex nulli facit injuriam*: Whereto let us oppoſe others out of our old Laws more rationall and ſound; *Non debet eſſe rege major quiſquam in exhibitione Juris; minimus autem eſſe debet in judicio ſuſcipiendo, ſi peccat. Rex habet ſuperiores, Legem; per quam factus eſt Rex, & Curiam ſuam*, &c. *Nihil aliud poteſt Rex, niſi id ſolum quod de Jure poteſt*, ſay *Bracton* and *Fleta*. And whereas he is up again with his pious *Divines* in and about *London*, whoſe *Declaration* he much boaſts of in the behalf of the late *Tyrant* and his *Cauſe*; In Anſwer to this, he muſt give us leave to reply in ſuch a ſence

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as our own experiences have taught us; that thoſe whom he calls *Divines*, were the greateſt *Carnaliſts*, *Formaliſts*, and *Fanaticks*, that ever appeared in any Nation; *Court parasites*, Trumpets of Tyranny; the onely Patrons and Promoters of *Slavery*, both *Spirituall* and *Temporall*. They were ſuch (as moſt of the ſame *Tribe* ever have been and are) men ignorant in the more neceſſary and ſolid parts of Learning (both *Sacred* and *Civill*) who make a Trade and Traffique of certain *Set-forms*, and *Maxims* of *Divinity*; wherein being Travell'd, as in a *Road*, they cannot out of their old way, but immediately they loſe themſelves and their ſences. If a *Truth* (though never ſo bright and glorious) come to claſh with any of thoſe *trading notions* which they call *Orthodox*, then immediately, like the men of *Epheſus*, they grow ſtark mad, and can ſing no other Tune to all the world, but *Great is their Diana*. Therefore, In thoſe high and weighty Controverſies which ariſe concerning the Rights and Concernments of Commonweals and Kingdoms (where their motions are *eccentricall*) little regard is to be had to their frigid Conceptions, wherein they are wont, even in *Luce meridiana, toto cœlo errare*; and in this particular it might be made good (contrary to their Affirmations and Invectives) even as clear as the Sun, *According to the holy word of God; the Inſtinct of Nature; Right Reaſon; The Laws of all Nations*, and particularly of *England*; That *Parliaments*, or other *Supream Aſſemblies*, have a Power of Juriſdiction (both *coercive* and *punitive*) over their Kings, and of altering Forms of Government, according to the Publique exigents and Conveniences of their reſpective Nations. In the meantime this *Scot* may do well, ſince he often quotes *William Prynn*, to conſult that great *Scotiſer*; in his Book entitled, *The Soveraign power of Parliaments*; as alſo his own Countriman *Rutherford* in his *Lex, Rex*: who will give him another Account, than the raw *Pulpiteers* of *London*. Next, he affirms, that the ſaying of our *Saviour* which commands the paying of Tribute to *Cæſar*, confirmeth and eſtabliſheth Lawfull Power. Herein we agree with him; For, though the means whereby that Power of the *Cæſars* was gained were unlawfull, and the manner of its *Acquiſition* unjuſt; yet it being once eſtabliſhed beyond the

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controll of any Publique Power, and having all Authority ſeated within it ſelf, it immediately became lawfull by way of diſpenſation, having a right to the diſpenſing of Juſtice, and to the exerciſe of all Acts of Juriſdiction concerning privat and particular Perſons. But then (ſaith he) ſhould *David* have acquieſſed in the uſurped power of *Abſolom*, and *Solomon* in the power of *Adonijah*; *Jehoiada* in *Athaliah's*, and the *Machabees* in the power of *Antiochus Epiphanes*. Alas, the caſe of theſe is far different; for neither *Abſolom*, nor *Adonijah*, were ever ſeated in a plenary poſſeſſion, nor had they been acknowledged Supream, as were the *Caſars*; nor had the *Jews* made any recognition of *Antiochus* his Authority, nor did he ever bring them under a totall Subjugation, as afterwards did the *Roman* power, to whom they then paid a finall ſubmiſſion, though they refuſed it before to *Antiochus*: As for that of *Athaliah*, we finde ſhe had a ſubmiſſion paid for no leſs than 6 years, though her power were uſurped; and one main reaſon why the people denied it afterward was, becauſ ſhe had agrieved the whole Nation with her practiſes of Idolatry and Tyranny: for which cauſe, ſhe was lawfully depoſed and put to death in a full Aſſembly of the Princes and People. 2. *Kings* 11. after which, they reduced the Government into its former courſe of ſucceſſion. Thus much we thought fit to anſwer, as to this particular: But what hath this *Scottiſh Reſident* to do to introduce theſe Inſtances of *Abſolom*, *Adonijah*, and *Athaliah*, as Arguments againſt us in *England*? They touch not the matter at all, there being as vaſt a diſproportion betwixt them and us, as betwixt light and darkneſs; for they were ſingle Uſurpers over the People; but here in *England* the People have recovered their own Rights, by ridding away an old Tyrannical Uſurpation.

He compares alſo the *Religion* that was under Kings in *England*, with the preſent, and ſaith that in the Kings time *it ſhone as a Lamp, more clear then in any other Nation: But that now it is nothing like the religion profeſſed in* Holland, *nor indeed Religion it ſelf*. What the ſtate of *religion* was in the Kings time, I ſuppoſe we need not now diſpute, it having been long ſince condemned, not only by our *Presbyterians* themſelves, but in the Iudgement alſo of Forain *reformed Churches*, as a pro-

profane *medley* of Superstitious Innovations. And as to the present, though we glory not in an external pretended *National Uniformity* (the great *Diana* of the Clergy, and wherein they place all religion, because it makes for their profit) yet it bears a proportionable conformity to the mind of *Christ*, and the tenor of his *Gospel*, which teacheth us to gather *Believers* into Congregations by the power of the *Word*, and not force men promiscuously into a pretended *Church-relation* by the power of the *sword*, or commands and constitutions of any worldly *Power*. This, together with a prudent *Toleration* of different opinions, is the present state of Religion in *England*; so that whosoever takes a view of the practises of both Nations, will easily grant a conformity of profession betwixt us, and our neighbours of the *United Provinces*.

He alledges further, *It would be more safe and profitable for the States, that* England *should continue a* Monarchy, *than become a* Republick, *for that the increase of* England *in a free State would be the decrease of the other.* See here, O ye people of *England*, what a Confession here is out of the mouth of the *Common Enemy*, of the possibility of that increase, both in wealth and honour, which our Nation may expect in the settled Form of a *Free State*, or *Commonwealth*. And if so, then by consequence it follows, that all this stir for a *Royal Family*, and *Monarchy*, is not out of any respect to the increase of the publick weal, but only to satisfie the ambition of a single *Tyrant* and his Followers. And rather than not be so satisfied, be here (by the mouth of his Orator, *Mac-Donnel*) offers up the future interest and glory of *England*, as a prey unto the *Dutch*, in hope to allure them unto his party, for the restoring of him into a *Tyranny*: so that you see clearly, it is a thirst of Dominion and Revenge, not the people's benefit, that transports him in all his undertakings. It is here acknowledged by himself, that his own restitution will be a means to keep *England* from growing richer and greater; the fear whereof, he useth as an argument to provoke the jealousie and emulation of *Holland*. The inference therefore is natural and easie, out of his own mouth; that the interest of himself, and *family*, is inconsistent with the increase, and interest of the *English* Nation:

In the next place, he indeavors to darken the glory of God in our many wondrous ſucceſſes; ſaying, they are no good argument to juſtifie a *cauſe*, becauſe the *Turk* hath had as great ſucceſſes as any. But what ever this *Babler* ſaith, we cannot be ſo ignorant of the good hand of God upon us, as to let thoſe glorious works of Providence, whereby he hath pleaded the Cauſe of this Parliament and Commonwealth, paſs under the common title of *Fortune de la guerre*; The *Lord* having caried on this marvellous work for time and place, with a concurrence of ſuch remarkable circumſtances, that the very enemies have at length acknowledged it to be *digitus Dei*, as did D. *Hamilton* (before his death) and others, who ſaw the ſtretched out arm of God in the late defeat at *Worceſter*. We juſtifie not our *cauſe* by ſucceſſes; but only behold them as the effects of Gods mercy and goodneſs, owning us in a juſt ingagement, againſt the enemies of himſelf and people. The *Turks* deſign was to propagate *Tyranny* in *Chriſtendom*; ours to pull it down. His, only to increaſe his own Dominion; ours, to exalt the Dominion of *Jeſus Chriſt*. What he did, was by main ſtrength, multitudes, and help of human policy. What we have done, hath been by a deſpiſed remnant, inconſiderable, both for knowledg & number, againſt all the wiſe and mighty men of this generation, who to their power & wiſdom, have had ſo many great advantages from time to time, that the *deciſion* of every ſucceſs, in our behalf, hath been ſo manifeſtly written with the *finger of God*, that all muſt confeſs, it could be no other hand but his that did it: Witneſs the great advantage the Enemy had of us at *Naſeby*; the miraculous ſally at *Dublin*, with the many glorious defeats that followed in *Ireland*; the great deliverances wrought in 1648, when by a *ſmall army* divided into two handfuls, we with one part quieted *South-Wales*, and vanquiſht *Hamiltons* galiant army; and with the other part, ſuppreſſed the many numerous Inſurrections in *Kent*, *Eſſex*, &c. Witneſs alſo that glorious deliverance (beyond all reaſon) given laſt year at *Dunbar*, when by a poor handful of ſick men, wearied out with watchings, hunger, and inceſſant marches in tedious weather, & at length impounded within a narrow neck of Land, ſurrounded by the ſea, they did notwithſtanding (in the ſtrength of God) defeat the numerous

merous *Scottish Army*, it being accommodated with all neceſſaries and advantages, and one of the beſt accompliſht armies, that ever appeared in *Scotland*. Add to theſe (omitting many other) the late memorable defeat at *Worceſter*, attended with a *ſeries* of many other wondrous ſucceſſes: and it is ſo much the more obſervable, in regard of that miraculous power of God upon the hearts of the people, faſtning them to the Government, in a moſt notable time of trial, to the ſhameful confutation of this ſhameleſs *Reſident*, who had the impudence to affirm, that not the *hundreth part*, or (as he ſaith a little after) not the *thouſandth part* of the people, *but do cordially adhere to the Royal Intereſt, and paſſionatly groan to be delivered from the prevailing party in* England, as he is pleaſed to call the *Parliament*: whereas, all the time of the *Scot's King* being among us (which was about 28 days) courting and wooing the people with all manner of inſinuations, intreaties, and pretences, he was not owned by any conſiderable number of his *old friends*, or his new-reconciled Enemies of the *Preſbyterian* party. From all which particulars, (what ever other men may deem) we cannot but ſee the hand of God reached out unto us, for the upholding of this Government, in a peculiar manner, contrary to all the expectations and reaſonings of worldly wiſdom. Since the drying up of the *red ſea*, with the wonders that were wrought in Ægypt, and in the Wilderneſs, never have there been more glorious appearances of Gods preſence, than among his people in *England*: And therefore, none but a profane heart will preſume ſo much to detract from the glory of theſe diſpenſations, as to rank them among the ordinary paſſages of a permiſſive, or *Turkiſh* Providence.

The laſt that we ſhall take notice of, is one of the principall arguments that he uſeth to hold the *Dutch* to his young *Maſter's* party; hinting unto them by way of inſinuation, *that no Nation is ſo ſubject to change as* England; *that the Earl of* Warwick *in* 11 *days*, Edw. 4. *in* 20, *and* Hen. 7. *in* 1 *day ſucceſſively ſubdued the* Engliſh *Nation*. Tis true, *England* hath received many a ſudden change, but never ſuch a change as now. Heretofore, the poor people toiled themſelvs, in ſhifting one *Tyrant* out of the ſaddle to ſet up another; but

now

now they have driven out, not only the *Tyrant*, but Tyranny it self, and cashiered not only a single King, but all Kings for ever. It is an easie matter for particulars to supplant one another in Government, because the interest stands deposited in a single hand; but when the whole frame of Government is altered from what it was, and the interest of State lies diffused in the hands of the people, it is almost impossible to alter it again, without such a tract of time, as may produce new dispositions and opportunities for the effecting a new alteration. Besides, it is very rarely observed in the whole course of History, that ever *Kingly Government* was suddenly restored in any Country, after it had been once cashiered by the people.

As for *Robert Bruce*, his recovery of all *Scotland*, 300 years ago, out of the hands of the English; you know it could not be effected as long as *Edw.* 1. lived; but advantages being taken by the infirmities, debaucheries, and civil broils of *Edw.* 2. the Scots made a shift to shake off the yoak, wherein they were more beholding to that *Prince's vanity*, than the valour and vertue of their own Nation. And whereas he calls *Sterlin* the *unconquered, and fatall Bulwark of* Scotland, and tells us, that there they *stopt the current of the Roman* Victories; yet their own Historian *Buchanan* confesseth, that both *Edw.* 1. and 2. were possest of *Sterlin* by force of arms: and both their and our Historians will be able to relate in time to come how that the Commonwealth of *England* hath done more than *Rome*, and made another Conquest, not only of *Sterlin*, but far beyond it; which I dare be bold to second with this *Omen*: That as *Scotland's* happiness will be promoted by a subjection to *England*; so now it is the design of God, for the better carrying on of his great work, and the good of that people, to bring them into an universal submission to the Laws and Government of the English Nation.

——*Nec sit Terris*
Ultima Thule.

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